

COMMONWEALTH OF PENNSYLVANIA  
STATE GOVERNMENT AD HOC COMMITTEE  
HOUSE OF REPRESENTATIVES

In re: Sunset Review  
State Athletic Commission

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Stenographic report of hearing  
held in Majority Caucus Room,  
Harrisburg, Pennsylvania

Thursday  
June 11, 1987  
9:30 a.m.

HON. FRANK L. OLIVER, CHAIRMAN  
HON. MARVIN E. MILLER, JR., MINORITY CHAIRMAN

MEMBERS OF STATE GOVERNMENT AD HOC COMMITTEE

Hon. Robert L. Freeman  
Hon. Gordon J. Linton

Also Present:

Hon. Thomas C. Corrigan, Sr.  
Hon. George C. Hasay  
Hon. Vincent Hughes  
Hon. Jere W. Schuler

Stanley Mitchell, Chief Counsel

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Dorothy M. Malone  
Registered Professional Reporter  
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1 THE CHAIRMAN: This meeting will now come to  
2 order. Good morning. Today we have the Sunset Review hearing  
3 on the State Athletic Commission. We do have an agenda here.  
4 Our first speaker this morning will be the present and former  
5 officers of the State Athletic Commission. The Chairman,  
6 James J. Binns, will be the first speaker. Mr. Binns, you may  
7 proceed, sir. I understand you do not have prepared testimony.

8 MR. BINNS: That is correct, Mr. Chairman. Mr.  
9 Chairman, I am here to answer whatever questions this  
10 Committee may have with respect to the audit that was  
11 performed by the Sunset Audit Committee. I have spoken with  
12 your legal counsel and advised him that I would be prepared to  
13 answer whatever questions any member of the Committee might  
14 have or whatever questions Mr. Dario might have with respect  
15 to the audit that was performed.

16 THE CHAIRMAN: Would you be prepared to make an  
17 opening statement prior to questions from any members of the  
18 Committee?

19 MR. BINNS: Not unless the Chair pleases.

20 THE CHAIRMAN: Are there any questions from any of  
21 the members? Mr. Mitchell.

22 BY MR. MITCHELL:

23 Q Prior to the members making questions, Mr.  
24 Chairman, I will just ask a couple of questions of Mr. Binns.  
25 Perhaps you are familiar with the issue regarding the

1 professional wrestling matter?

2 A I am.

3 Q The matter of Titan Sports. Could you provide for  
4 the Committee your views in that regard? And, of course, I  
5 understand, Mr. Chairman, that Titan Sports will be providing  
6 testimony themselves. So, we are sort of jumping the gun, but  
7 if Mr. Binns would be so kind to provide at the outset the  
8 Commission's views regarding professional wrestling.

9 A Yes, sir. Mr. Chairman and members, it is the view  
10 of the Athletic Commission, the unanimous view, that  
11 professional wrestling should be regulated within the  
12 Commonwealth of Pennsylvania. We understand that the  
13 representatives and officers of Titan Sports are here today  
14 to request that this Committee take under advisement the  
15 releasing of professional wrestling from the aegis of the  
16 Pennsylvania Athletic Commission.

17 The reason that we feel as a Commission, and this  
18 is the unanimous view, that wrestling should continue to be  
19 regulated is that it is necessary, in our view, for someone,  
20 preferably the State Athletic Commission to oversee the  
21 health, safety and welfare of the wrestlers who are engaged  
22 in the professional sport of wrestling. And in addition to  
23 that, it is necessary for the Athletic Commission to regulate  
24 what is required for the health, safety and welfare of the  
25 public who attend these matches. And I may say that wrestling

1 is at an all-time high with respect to its popularity. And  
2 accordingly we have, in the various venues throughout the  
3 state, instances where 15 to 20,000 people per event attend  
4 a professional wrestling show. Now, when I speak of the  
5 health, safety and welfare of the wrestlers, it has come to our  
6 attention that in the past, professional wrestlers, in order  
7 to earn more money have engaged in the practice of flicking  
8 their foreheads with razor blades in order to draw blood to  
9 excite the crowd.

10 We have, as a Commission, taken a position in  
11 Pennsylvania that that is no longer allowed. This position  
12 was not accomplished without some degree of hostility on the  
13 part of both wrestlers and promoters. However, it is a fact  
14 that if any member of the Committee would like to accompany me  
15 to a wrestling show, I could demonstrate to you by physical  
16 examination of the wrestlers, that they have engaged in this  
17 practice in the past and in fact continue to engage in it in  
18 states other than the Commonwealth of Pennsylvania. We take  
19 the position that it is dehumanizing to permit or cause a  
20 professional athlete to do that to himself in an effort to  
21 earn more money and we continue to do that.

22 We have had instances where I have directed a  
23 doctor to examine wrestlers immediately after they have cut  
24 themselves with razor blades, and in at least one instance,  
25 the wrestler refused and we had to confront the promoter with

1 the prospect of closing his show down on that spur of the  
2 moment unless he submitted to the examination by the physician,  
3 and there were written reports evidencing this. We continue to  
4 incur problems with wrestlers coming in from other states  
5 already having cut themselves a day or two before and then  
6 having the cut opened up. But we have a policy that if they  
7 continue to do that, we suspend them and I have done that in  
8 the past. It seems to be clearing the problem up.

9 In addition to that, there are the pre-bout  
10 physicals that are conducted by physicians who are licensed by  
11 the State Athletic Commission and who routinely examine both  
12 professional boxers, amateur boxers and professional  
13 wrestlers as part of their duties and they are paid to do  
14 this. And some of those physicians are, or rather will become  
15 members of the Medical Advisory Board once it is implemented by  
16 Governor Casey.

17 With respect to the health, safety and welfare of  
18 the citizens of our Commonwealth, it is no secret that when you  
19 have 20,000 people in venue anything can happen, especially  
20 when, as is the case in Pennsylvania, alcoholic beverages are  
21 permitted to be sold on the premises. There is nothing wrong  
22 with that. We consider wrestling to be good family  
23 entertainment. We discourage rowdyism. When it occurs, we  
24 encourage the security staff at the venue to eject the people  
25 who are guilty of the rowdy conduct and to go further and have

1 them arrested if it is warranted. We see nothing wrong with  
2 the sale and consumption of alcoholic beverages so long as it  
3 is kept to a modicum and it is not something that gets out of  
4 hand.

5           There have been instances and there continue rather  
6 to be instances of feigned violence where certain, an  
7 undesirable element of the fan populus will throw objects  
8 into the ring. Their latest trick, if you will, was to throw  
9 in a rock the size of your hand at the wrestlers and this  
10 occurred at the Civic Center two weeks ago. We are dealing  
11 with that problem rather and I have scheduled a meeting in  
12 my office with not only the head of all of the Philadelphia  
13 police who attend these events, but also the officers at the  
14 higher echelon of Spectacor Corporation and Spectaguard  
15 Corporation who provide the security forces at the Spectrum in  
16 Philadelphia, the Civic Center in Philadelphia and the  
17 Pennsylvania Hall, and they have responded.

18           I dare say that without the input of a commissioner  
19 who has the power of the state behind him to take and grant  
20 sanctions that that would not occur. That you would have, if  
21 you will, the good old boy system of live and let live and  
22 let's just see what we can do to get beyond this problem. We  
23 deal with the problem swiftly, we deal with the problem  
24 deliberately and we think that we serve a real benefit to the  
25 populus of the state of Pennsylvania.

1 For those two main reasons, I would suggest that it  
2 would be unthinkable to deregulate professional wrestling in  
3 the Commonwealth of Pennsylvania. I have read the prewritten  
4 testimony of the representative of Titan Sports where they say  
5 certain states have deregulated boxing. That may be true, but  
6 that doesn't make it good for our Commonwealth. There are  
7 certain states, a number of them don't have boxing commissions  
8 and they are the states where you have the greatest problem  
9 with respect to fighters being knocked out repeatedly, fighters  
10 being allowed to participate more than one bout in a week,  
11 sometimes more than one bout in a day. I dare say, given a  
12 free hand and a free head that the same would occur with  
13 respect to professional wrestling. We have it to a point now  
14 where we treat the promoters with dignity. We have dignified  
15 the wrestlers themselves even against their own wishes and they  
16 have come to not only appreciate it but to make public  
17 statements on radio and in the press that they are proud to  
18 come to Pennsylvania and they are proud about the way they are  
19 treated here. Whether or not they can get another hundred or  
20 \$150 for giving juice, and that is what it is called in the  
21 trade, so I am not making up something that isn't a  
22 time-honored method of doing business in wrestling  
23 communities. To get juice, you get another hundred to \$150  
24 and it goes from the very lowest of the wrestlers in the  
25 ratings to the very highest. We don't permit it. And that is



1 a major, major factor that you should take into consideration,  
2 I think, with respect to your decision as to whether or not  
3 wrestling would be deregulated.

4 Q Mr. Chairman, if I may. I guess my concern now  
5 is based upon your information provided to the Committee.  
6 Do you believe honestly that wrestling is a competitive  
7 sport?

8 A It is not, sir. Wrestling is an exhibition.  
9 If I may direct your attention to the Athletic  
10 Code, Mr. Mitchell, you will see the differentiation between  
11 the verbage that is used in connection with boxing and that  
12 which is used in connection with wrestling. Boxing is a  
13 contest. Wrestling is not a contest. It is an exhibition.  
14 It is meant for the entertainment of the fans who come.  
15 Whether or not the winner or loser is predetermined is  
16 unimportant to how the exhibition is carried out. It is the  
17 way and manner in which the exhibition is carried out that  
18 leads to the fan entertainment. And the only item that we  
19 have to quarrel with at this point is the intentional  
20 cutting of one another and one's self with razor blades or  
21 other sharp objects.

22 In addition to that, Mr. Mitchell and Mr. Chair-  
23 man, let me assure that we also control whether or not people  
24 throw chairs into the ring, that is wrestlers, which they do if you  
25 are not there and whether or not they throw other objects or use other

1 objects on one another in an effort to heighten the performance  
2 of the exhibition.

3 Q Mr. Binns, what type of guidelines do you have to  
4 control the cutting with the razor blade and/or throwing of  
5 objects into the ring? The Audit Report, if I may go on, Mr.  
6 Chairman, briefly sets forth that oftentimes the Commission is  
7 top-heavy with deputy commissioners and I am just wondering  
8 whether you have enforcement capability to control the cutting  
9 with razor blades, throwing of rocks. And you yourself stated  
10 that it is not a competitive sport. I guess my primary  
11 question, Mr. Chairman, is whether or not the promoters  
12 themselves could not deal with the issue at hand in terms of  
13 controlling professional wrestling. Whether or not you have  
14 the capability to control professional wrestling or regulate  
15 it. And I guess that is my question.

16 A The answer to that question is very simple. The  
17 promoters themselves would not and could not control it  
18 because it is in their interest to have it happen. It is they  
19 who are the direct beneficiaries of the heightened performance,  
20 if you will, and it is completely controlled by the Athletic  
21 Commission because we grant or refuse to grant the sanctions  
22 for that show.

23 What I have done is told them that we will refuse  
24 to grant sanctions for the show if it continues. We have  
25 suspended the boxers on the spot -- I mean the wrestlers don't

1 do it again. I misspoke when I said boxers. So that the  
2 wrestlers don't do it again. So, without the intervention of  
3 the State Athletic Commission there would be absolutely no  
4 control. It would be a wild west arena.

5 Q My final question, Mr. Chairman. What is your view  
6 of the various states that have deregulated professional  
7 wrestling?

8 A I don't know what you mean by my view.

9 Q Your view of that.

10 A I disagree with them.

11 Q You have nothing to add in that regard?

12 A No.

13 MR. MITCHELL: Thank you, Mr. Chairman.

14 BY CHAIRMAN OLIVER:

15 Q I know you have one wrestler who has a tendency to  
16 bring a snake in the ring with him. Why do you allow something  
17 like this?

18 A Well, to this time it has not proven, Mr. Chairman,  
19 to be dangerous. It is once again, it is simply an  
20 acoutrement of the show. It is no different than a ballerina  
21 wearing a tutu that would be cut too low.

22 Q You say it hasn't been proven to be dangerous.  
23 What if that snake got away?

24 A Well, I can't disagree with you. I mean, if a  
25 snake got away and bit somebody, it would be dangerous. But

1 the snake seems to be a friendly type, Mr. Chairman, and he  
2 has been around for a long time. In fact, he even has a name.  
3 And I am embarrassed to tell you that I don't know. My son  
4 would. Damien is the snake's name.

5 Q If he seems so friendly, would you allow him to  
6 sleep in bed with you at night?

7 A No, sir.. I'll tell you what. I wouldn't allow  
8 Gorilla Monsoon to sleep in bed with me either and he's  
9 friendly.

10 (Laughter.)

11 Q I have often wondered about that and if that snake  
12 did get away, whose responsibility would that be?

13 A It would be the responsibility of the promoter and  
14 the owner of the venue and they would be liable in damages,  
15 sir, for whomever the snake injured.

16 Q As far as you are concerned being the Chairman,  
17 you would not assume any responsibility for that?

18 A Do you mean legally, sir, do I think the state  
19 would be liable?

20 Q Yes.

21 A I can't say it wouldn't be, no. And if you felt  
22 that that would be something else that we would have to  
23 curtail, I would certainly follow your lead.

24 Q Well, positively, I really feel that way. I think  
25 it is dangerous. You don't know what that snake might do,

1 who he might bite if he should get away.

2 A I can't disagree with you, Mr. Chairman.

3 Q I think that should be stopped. Another thing, Mr.  
4 Chairman, some of the things you said like as far as using  
5 razor blades on themselves.

6 A Yes, sir.

7 Q I mean, I watch wrestling and to me it seems so  
8 real. So, actually, in a sense, that is misleading as far as  
9 the public is concerned.

10 A That is true.

11 Q I think that is wrong also.

12 A Well, so do I. That is why I stopped it.

13 Q Even today, presently, I see these wrestlers  
14 picking up chairs and things and hitting one another on the  
15 head.

16 A That's not real.

17 Q That is not real?

18 A No, sir.

19 Q It is misleading also.

20 A Well, it is misleading but it is kind of the same  
21 type of misleading that you and I may have encountered when we  
22 went to the Saturday matinee and saw whomever the hero was  
23 being beaten for 90 minutes of the movie and then in the last  
24 ten minutes, he would come on with the cavalry at his back  
25 and he would be victorious.

1           Q     In your honest opinion, if the general public was  
2 aware of this, do you think that you would still have 15,000  
3 people like you mentioned earlier attending these shows if  
4 they were really aware of this?

5           A     I think so because I think they crave the  
6 entertainment, Mr. Chairman. Some of them view it  
7 tongue-in-cheek and there are others who believe as though it  
8 were the written word of the Lord. But I think that even if  
9 it were to be exposed for everything that it is, that it would  
10 still be an attraction to the people who hunger for  
11 entertainment, the type of people who don't like to go to  
12 movies but like to see and live vicariously through the eyes  
13 of a 350 pound wrestler. I must tell you this, Mr. Chairman,  
14 these wrestlers are superb athletes. They do things with the  
15 human body that you cannot imagine and don't hurt themselves.  
16 They wrestle seven days a week, some of them, and they go from  
17 city to city and they do absolutely marvelous gymnastics and  
18 don't hurt themselves. Sometimes there is a misstep and  
19 someone is hurt, but by and large, it is a wonderful thing for  
20 people to watch. So long as it is controlled.

21          Q     Since we know that some of these things are really  
22 misleading, for an example, let's take the consideration if  
23 there was a match taking place next Saturday. Would you know  
24 in advance who is going to be the winner of that match?

25          A     Would I, no, sir.

1 Q Would anybody know?

2 A I cannot honestly answer that question, sir, but  
3 to be honest with you, it would defy belief that somebody  
4 doesn't know, yes.

5 Q As far as professional boxing is concerned, then  
6 if it was leaked out that something like that happened, this  
7 would be a fixed fight?

8 A Boxing?

9 Q Boxing, yes, illegal and somebody possibly could  
10 go to jail because of it.

11 A No, not possibly, probably.

12 Q All right. So, if that applies as far as boxing  
13 is concerned, it should also apply, in my opinion, as far as  
14 wrestling is concerned. I have been told, Mr. Chairman, that  
15 this does exist. This does exist.

16 A I'm not disagreeing with you. I'm saying it would  
17 defy imagination to believe that it does not exist. But the  
18 difference, Mr. Chairman, is, you must go back to the operative  
19 words, contest versus exhibition. Whoever wins an exhibition  
20 doesn't matter because it is only a exhibit. It is an  
21 exhibition of an art form and this art form is that of  
22 professional wrestling. And people who go to professional  
23 wrestling know all of the dramatis personae and they follow  
24 them on a weekly, sometimes daily basis, from venue to venue.  
25 There is a soap opera created, if you will. between the wife

1 of Randy Macho Man Savage and George the Animal Steele who  
2 covets her and has her picture ripped up so he is infuriated  
3 and places it back together. It is a funny, funny scenario,  
4 if you are into it and there are millions of Americans who are.

5 Q The only thing that really bothers me, and I have  
6 some personal friends who really crave wrestling.

7 A They would not believe you if you told them what I  
8 just told you.

9 Q They would believe me if I told them some of the  
10 things that have been told to me and also some of the things  
11 you have said here this morning.

12 A They won't believe you.

13 Q Which is a matter of record.

14 A They won't believe you.

15 Q Yes they will.

16 A Well, it is the same as trying to convince a  
17 five year old there is no Santa Claus. It is that simple.  
18 They won't believe you. I don't want to disillusion you, but  
19 I want to be there when you tell them. And if they ask me, if  
20 they say, is that true and if I just give them the slightest  
21 reason to doubt you, they will say that is not true. You may  
22 think it is, but we know it is real.

23 CHAIRMAN OLIVER: Representative Miller.

24 REPRESENTATIVE MILLER: Thank you, Chairman Oliver.

25 BY REPRESENTATIVE MILLER:



1 Q Commissioner Binns, you are aware of the process  
2 certainly that we are undertaking today and that is the  
3 beginning of the Sunset Review procedure?

4 A Yes, I am.

5 Q One of the traditional requirements of that law,  
6 as I hope you are aware, is to require that the appropriate  
7 agency undergoing Sunset Review have its chief executive  
8 officer, in this case you, come before the Committee and make  
9 a formal recommendation as to whether we ought to continue its  
10 existence or not.

11 With respect to the fact that you do not have  
12 written testimony today to recommend that, I might, for the  
13 record, ask you, should we continue with the State Athletic  
14 Commission?

15 A Yes, sir. I am happy to answer that question.  
16 Incidentally, I was not aware that written testimony was  
17 preferred or required. Had I been so aware, I would have  
18 certainly provided you with something.

19 Let me say to you that there is no question in my  
20 mind that the continuation of the Pennsylvania Athletic  
21 Commission is warranted and is a real necessity. We have a  
22 very prolific base of professional boxing and certainly  
23 professional wrestling as well as amateur boxing. I believe  
24 that the citizens of the Commonwealth are well served by the  
25 granting of sanctions under controlled circumstances such as

1 where physicians are assigned, the crowd control is insured,  
2 the safety, welfare and health of the boxers and wrestlers,  
3 that is, the participants look toward and looked after.  
4 Regulations having to do with the younger individual at the  
5 amateur level is assured and guaranteed by the rules and  
6 regulations and cooperation between the State Athletic  
7 Commission and the Amateur Boxing Federation. And I believe  
8 that to not continue the Pennsylvania Athletic Commission in  
9 its present form would be a mistake.

10 Q Thank you, sir. The reason I asked that question,  
11 for your information, is that traditionally that chief  
12 executive officer of the particular group undergoing Sunset  
13 Review also takes the opportunity of this hearing to present  
14 to the Committee of the legislature that will be redrafting the  
15 statute his or her suggestions for areas of improvement. They  
16 may be in the arena of administrative needs, fiscal needs of  
17 the agency, i.e., hiring investigators, et cetera, maybe in  
18 the arena of records keeping. Since we don't have that, I  
19 wonder if you would be kind enough to answer a couple of  
20 questions as they relate to suggestions in the Sunset Review  
21 Report?

22 A I would be delighted.

23 Q Do you, sir, have a copy of the report?

24 A I do.

25 Q One of the items was Finding C of the review report

1 where the finding states, "Despite revenues generated by the  
2 Commission having exceeded Commission expenses, my compliments  
3 to you, sir, for staying in budget in fiscal year '85-86, the  
4 period of review, that we have discovered that the Department  
5 of State has not offered the backup and support services that  
6 the statute would have be made available to the Commission and  
7 to you, sir." I wonder if you might comment on a number of  
8 those. I see one sticks out in particular, and that is, the  
9 lack of support for a Medical Advisory Board which is  
10 particularly critical in the regulation of amateur and  
11 professional boxing?

12 A Yes, sir. I will be happy to. If I may first,  
13 let me say that we agree practically entirely with that which  
14 has been recommended by Mr. Dario and his staff. And all  
15 members of our Commission worked very closely with Mr. Dario  
16 and his staff.

17 Happily, I may tell you that the scenario at the  
18 Department of State now is 180 degrees reversed from that which  
19 it was under Mr. Gleason, the former Secretary of the  
20 Commonwealth. Mr. Haggerty and his staff, Mr. Grant and his  
21 staff have endeavored to implement each and every suggestion  
22 that has been made by Mr. Dario.

23 Unfortunately, during the calendar year of '85-86  
24 when it came to pass that the revenues exceeded the expenses  
25 by more than \$100,000, there apparently was a plan that we did

1 not know about to abolish boxing in the state of Pennsylvania  
2 and this plan was being engineered by the Secretary of the  
3 Commonwealth, Robert Gleason. He has told that, he has  
4 suggested and recommended to Mr. Haggerty that he abolish boxing.  
5 I was astounded when I heard that and could not understand how  
6 some of the things that were happening were happening. But  
7 once you hear that, it makes it very simple.

8           Now, all of the suggestions having to do with  
9 computerization are being implemented. Secretary Haggerty has  
10 taken it upon himself to canvas the members of the Athletic  
11 Commission to get names for the Medical Advisory Board. Those  
12 names are being submitted to Governor Casey and the doctors  
13 are willing, ready and willing and anxious to serve. We are  
14 ready, willing and anxious to have them. And I must tell you,  
15 sir, that during the past five years, when the Medical Advisory  
16 Board was moribund, I personally called for the suspension  
17 of boxing no fewer than six times in public meetings and in  
18 letters to the then Secretary of the Commonwealth. Because I  
19 felt that it was most unwise and very unsafe to operate  
20 without the help of a medical advisory board. All of those  
21 things that have been detected and brought to the fore by the  
22 audit, the Sunset Audit Committee, I must tell you that we have the  
23 greatest respect for and work very closely with, all of the  
24 things that they recommended are being implemented. They are  
25 being done on a daily basis. We meet once a month with

1 Secretary Haggerty and Mr. Grant, his chief aid. We have now  
2 been afforded counsel at every opportunity, whenever we need  
3 him, and things are really looking up.

4 Q You answered my next question. the availability of  
5 counsel to Commission staff.

6 A Yes.

7 Q Do you feel your legal complement will be  
8 satisfactory for the future?

9 A Yes.

10 Q Or do you want us to address that in the statute  
11 to assure that you have, i.e., independent counsel to the  
12 Commission or would you prefer loaning legal counsel from  
13 state government?

14 A Well, unless the counsel, her or himself were to  
15 tell you it is too burdensome, we are delighted to be an  
16 integral part of the Department of State. Because in being  
17 that integral part, we have Mr. Grant's ear on a daily basis  
18 which means we have Secretary Haggerty's ear and the funds that  
19 rightfully should have been employed in the operation of the  
20 Athletic Commission are now being so employed. We have started  
21 on the road toward computerization. We have a computer in the  
22 Harrisburg office. We are getting computer parts shipped on  
23 a weekly basis to our regional offices. We are getting a much  
24 higher caliber of morale in our employees in the regional  
25 offices and things are really turned around.

1           Q     Thank you, Chairman Binns. Just for the record,  
2 with respect to those, do you have a target date for the  
3 Medical Advisory Board to be sitting and as well as for your  
4 computer services to be up and running and on board?

5           A     We have a target date for the Medical Advisory  
6 Board which has passed, but we are very close.

7                     With respect to the computer, it is rough. We are  
8 just really doing it pragmatically and everyone is using their  
9 best efforts. Every indication has been that the leadership  
10 of the State Department is committed to it and our people are  
11 preparing for the training, and really it is just going to be  
12 ASAP.

13          Q     Mr. Chairman, if you would be kind enough as the  
14 next weeks and months unfold while we are conducting this  
15 rewrite, if you see any difficulties developing, particularly  
16 in the formation of your Medical Advisory Board, if you would  
17 be kind enough to contact us and advise us about that, we would  
18 be most willing to put specific language in the rewrite to  
19 guarantee you have those necessary services. Because the  
20 Committee in general feels there are critical needs of the  
21 Commission and we will do our best to supply them.

22                     If I might go on, Mr. Chairman, to another series  
23 of questions that deal with past record keeping and staffing  
24 supervision problems at the Commission which were brought out  
25 by the Legislative Budget and Finance report. Two of

1 particular note, the subject of boxers fighting while under  
2 suspension in the Commonwealth and the fact that no specific  
3 action was taken in a number of cases as well. Boxers fighting  
4 after as many as six or seven consecutive defeats. Without the  
5 type of medical examination that New Jersey gives with the EEGs,  
6 EKGs, the ophthalmology exam, et cetera. Would you now perhaps  
7 make recommendations to us if there are suggestions  
8 specifically we ought to put in the law with respect to those  
9 post fight exams that might assist you as well as the necessary  
10 fees to cover that activity? I understand in the New Jersey  
11 requirement those fees can hit five, \$600 for a traditional  
12 post fight exam. Who would be responsible?

13 If you are not prepared now to make a thorough  
14 suggestion, we would certainly solicit from you, sir, those  
15 suggestions as this rewrite continues. For the time being if  
16 you might just respond briefly as to what has been done to  
17 clean up that record keeping, what you may need to assist that  
18 those proper medical exams are given and if need be, to expand  
19 the required scope of the exam. In fact, a regular EEG exam,  
20 an EKG and the ophthalmological exam in the event that a  
21 fighter is knocked out unconscious.

22 A With respect to the need for the record keeping,  
23 that is being addressed by virtue of the implementation of the  
24 computer. Once we have the computer in place, we will be able,  
25 on a moment's notice literally, to punch in the results of a

1 fight that occurs in Johnstown and have that appearance on  
2 the screen in Philadelphia. So that the fighter cannot  
3 traverse the state and engage in a contest after he has been  
4 severely beaten or knocked out or anything of that sort. We  
5 are continuing to upgrade that system. We have passport  
6 licenses that are in use. The most important thing, the  
7 sine qua non to a working is a computer system.

8           With respect to the examinations, the present  
9 state of affairs is woefully inadequate. It is my view and the  
10 view is shared by other members of the Commission that there  
11 should be, at a minimum, a yearly examination that would  
12 include the basic test you just enumerated, an EKG, an  
13 ophthalmological examination, perhaps a CAT Scan. Back in  
14 1981, I obtained from a Philadelphia hospital a quote of some  
15 \$260 per boxer at that time. Really, when we are talking  
16 about examinations, this is boxing and not wrestling. It would  
17 not obtain in wrestling.

18           The problem is, we can get hospitals interested in  
19 doing it in the inner cities, however, the cost has to be  
20 defrayed somehow and I don't really know the answer to that  
21 unless we are given added funds to our budget. I would be  
22 prepared to come back at a later date and tell you exactly what  
23 those funds would be. Because I do think that if we are going  
24 to continue boxing in our Commonwealth, it should be the  
25 safest, the best and the highest that there is at least in



1 these United States.

2           The cost of that examination would have to be  
3 borne by the state. It would not be able to be borne by a  
4 promoter because you could not apportion it. Some of the  
5 fighters that you are talking about would be impecunious young  
6 men who are of the amateur level and they certainly could not  
7 afford it. But there should be some basic test on a yearly  
8 basis that should be given.

9           Now, with respect to a fighter and a post fight  
10 examination, it, too, would be costly and would not be  
11 practical for it to be borne by the promoter. Because the  
12 promoters, at least as they tell me, are living on string. And  
13 ten dollars either way makes the difference whether they are  
14 going to go to lunch the next day or not go to lunch the next  
15 day. I take that with a block of salt when they tell me that,  
16 but that is what they tell me. So, if we are going to be able  
17 to come to grips with that problem, I think we are going to  
18 have to bite the bullet and assume that cost as part of our  
19 budget. However, if we continue, and I don't see any reason  
20 why we should not continue to have revenues exceed our  
21 expenses such as they did last year to the tune <sup>of</sup> \$100,000, we  
22 should be able to do that so long as the money is put back in  
23 where it came from which it has not in the past. It has been  
24 part of the general budget, and I really don't understand the  
25 nuances of the budgetary process. But you all do, and if you

1 could see to it that it comes back to where it started from,  
2 we would be able to defray those costs. Of course, we would  
3 combine the revenues from boxing and wrestling, but it would  
4 be to the benefit and welfare of the citizens of this  
5 Commonwealth.

6 Q Thank you. I apologize for that brief aside,  
7 Chairman Binns. Next, a request, if I might. Would it be  
8 possible for you to direct your staff to do, at the very least,  
9 a cursory examination of that post knockout fight medical  
10 requirement?

11 And include in that recommendation to the  
12 Committee what type of examinations you feel would be necessary.  
13 Also, as part of that, would you ask your legal folks to  
14 research the potential liability that the Commission may have  
15 with respect to the Commission ordering a fighter not to fight  
16 if indeed his promoter has a hot event scheduled and would  
17 countersue the Commission? For example, I'm curious to see if  
18 you get involved in any of that activity that would suddenly  
19 threaten your ability to administer the Commission

20 A I can answer that now.

21 Q Please.

22 A There is a provision in the Athletic Code that  
23 enables members of the Commission to act for the general  
24 health, safety and welfare of participants. So that I don't  
25 know of an instance where a fighter has ever brought a suit

1 and I cannot envision one to tell you the truth. Because  
2 practically speaking, it is not feasible for them to do it.  
3 Once a commission has spoken with respect to a suspension,  
4 that order is given comity throughout every operating  
5 commission in the United States of America. I have been the  
6 Chairman now since 1980. I cannot remember one instance, and  
7 I can even go further and tell you that even though we don't  
8 have a written rule of law prohibiting boxers with detached  
9 retinas from fighting again, we have implemented a policy of  
10 not allowing them. I have had one fighter come as far as to  
11 say that he demanded a hearing and I gave it to him. He  
12 brought his doctor in and after I finished cross examining  
13 the doctor, there was never anything more said about it.  
14 Because under the power to control and do that which is  
15 necessary for the general health, safety and welfare of it,  
16 we have a very, very wide latitude. It has never been abused  
17 to my knowledge. We have never had one complaint of  
18 heavy-handedness or abuse. It has only been used where it has  
19 been deemed necessary. If I may, I can give you instances  
20 where I've refused to license professional fighters after, in  
21 my own opinion, they have had too much. I bring them in. I  
22 bring their families in. I bring their minister or their  
23 religious person and I have a very intelligent discussion with  
24 them. Now, these are people with a lot at stake. I am  
25 talking about world class fighters, ex-champions of the world

1 whom I have refused to license. Never a problem.

2 Now, that is not to say that they did not go to a  
3 state where there wasn't a boxing commission and fight. They  
4 have done that. But they have never come back to Pennsylvania.  
5 Once they have had that other fight, it is turned out to be a  
6 disaster in the end. So, I think without doing a lot of  
7 research, I can give you some cold comfort in telling you that  
8 has never happened to my knowledge and I can't see it  
9 happening.

10 Q One final question, if I might, in the safety  
11 arena. It is my understanding that the regulations of the  
12 Commission require EKGs to be given within 24 hours after a  
13 fighter has been knocked out, amateur or professional. Why is  
14 that not happening?

15 A It is not happening because we don't have the staff  
16 to follow it up. I mean, we have been operating literally on  
17 a wing and a prayer. Each office, each regional office, has a  
18 secretary and part-time deputies. These part-time deputies  
19 are paid to go to an event. It is unreasonable to ask them to  
20 assume the burden of following up on something that happens  
21 during their own period. The secretary, for instance, in the  
22 Philadelphia office, could not cope with it because she has  
23 so many other duties and the secretary in the two offices in  
24 Scranton and Pittsburgh are really part time. They are there a  
25 couple days a week and they could not cope with it. So, what

1 we need is a professional atmosphere whereby when the fighter  
2 is knocked out that we have the capability of seeing that he  
3 is transported to a hospital. That a physician will follow it  
4 up. Once again, our physicians who attend the fights are paid  
5 for the event. It would be unreasonable to ask them to take a  
6 day or so out of their private practice to follow it up.

7 Q If I might take a bone of contention, it would not  
8 be unreasonable, in fact it is the law and in fact the  
9 Commission has no system in place, no administrative system in  
10 place to provide that function?

11 A Correct.

12 Q I would hope you would get us a recommendation  
13 very soon on how that ought to be provided unless you wish us  
14 to etch it out ourselves in the statute.

15 A We will be happy to do that and will do it.

16 Q Are there any plans underway to fill that  
17 deficiency?

18 A Only the plans that I told you earlier on about,  
19 an overall revamping of the Commission, yes.

20 Q I would hope that one critical safety feature is  
21 addressed immediately by the Commission.

22 A That one critical safety feature will be  
23 addressed by the Medical Advisory Board and they are the ones  
24 that can help us do it.

25 Q Well, it is very easy to pass the buck off on the

1 Medical Advisory Board. It is in fact a Commission regulation  
2 now. It has been some time a matter of information, reported  
3 admission that it is not being performed. We are sitting here  
4 with a budget surplus. You could certainly independently  
5 contract physicians available or contract with the hospital,  
6 such as Temple, to provide the service.

7 A I agree.

8 Q I don't see any reason why we can't do anything.  
9 You have the authority, sir, to order it, am I correct?

10 A I did not view myself as having that authority.  
11 If you tell me I have it, it will be done immediately.

12 REPRESENTATIVE MILLER: Thank you, sir.

13 MR. BINNS: Thank you.

14 BY CHAIRMAN OLIVER:

15 Q Just one other questions for me. I think you  
16 stated you became Chairman in 1980?

17 A Yes.

18 Q When did you stop wrestlers from using razor  
19 blades on their foreheads?

20 A That has been in effect for about the past three or  
21 four years, sir.

22 CHAIRMAN OLIVER: Representative Schuler.

23 REPRESENTATIVE SCHULER: Thank you, Mr. Chairman.

24 BY REPRESENTATIVE SCHULER:

25 Q Mr. Chairman, I am new at this so, bear with me.

1 For the record, would you just tell us basically what the  
2 Commission's function is?

3 A The Commission's function is that of collecting  
4 taxes and insuring the safety of participants in both amateur  
5 boxing the professional boxing and insuring the health and  
6 safety of participants in professional wrestling and insuring  
7 the health and safety and welfare of the citizens of the  
8 Commonwealth of Pennsylvania who attend those functions that  
9 are characterized as boxing and wrestling.

10 Q Thank you. Now, I am having a conflict here and I  
11 have not made up my mind until I hear all this testimony that  
12 is going to be presented here today. But to clear some of my  
13 thinking, during your comments here you made some statements  
14 to the effect that professional wrestling is an exhibition  
15 and I see you agree. It is a show. It is an art form. It's  
16 a soap opera. It is a funny scenario. It is not a competitive  
17 sport. You see no problem with that.

18 If your definition is what I read here, professional  
19 wrestling, should it really be in the realm of sports?

20 A Well, I think so.

21 Q But that's my problem. I think I have a problem  
22 with that because this is what it is all about, is it really a  
23 sport? You made a statement it is not a competitive sport.  
24 Should we be regulating? That is one of the issues I think  
25 has to be resolved.

1           A     Only for the reasons I gave you, yes.

2           Q     I understand that, but my feeling is when I go to  
3 some hockey games, you know, I'm not coming down on hockey  
4 because I love hockey, but I see some situations that were very  
5 dangerous among the players. You have no control over that,  
6 do you?

7           A     No, sir.

8           Q     And those gentlemen are serious when they are playing.  
9 In your testimony you are saying this is not really serious,  
10 am I correct?

11          A     If you mean the hostility part.

12          Q     Yes.

13          A     Yes. But with respect to the hockey, that is why  
14 you have a situation in Boston where they are going to start  
15 to arrest hockey players. It is bad. Somebody has to be there.  
16 Somebody has got to --

17          Q     You said they are going to arrest hockey players?

18          A     Yes, sir.

19          Q     Who?

20          A     The police, the mayor.

21          Q     Right, but they are going through a civil --

22          A     No, that is criminal.

23          Q     Well, criminal, okay, but it is being handled by  
24 the Boston Police Department.

25          A     That is unfortunately the way it is going to have



1 to happen, but if they had someone in control, they wouldn't  
2 need that. Because they would have someone who is forceful  
3 commissioner controlling it, it doesn't get out of hand like  
4 that.

5 Q Now, just a word on boxing. I see we have a  
6 referee coming on here later this morning. Maybe he will  
7 clarify this. But from your perspective, do we have some kind  
8 of guidelines that a referee uses to stop a fight?

9 A A referee is empowered to use his judgment.

10 Q It is his call?

11 A Yes, sir.

12 Q And when we have no guidelines whatsoever?

13 A Well, the only guidelines that you have are  
14 whether or not he is a competent and qualified referee and you  
15 only know that by seeing him perform his professional past.

16 REPRESENTATIVE SCHULER: Thank you, Mr. Chairman.  
17 Thank you.

18 CHAIRMAN OLIVER: Representative Battisto.

19 REPRESENTATIVE BATTISTO: Thank you, Mr. Chairman.

20 BY REPRESENTATIVE BATTISTO:

21 Q Mr. Chairman, you indicated that from time to time  
22 you have a boxer come in your office, interrogate him and his  
23 family and assess the situation. I assume you look at his age,  
24 his physical condition and determine that he is or is not  
25 capable to proceed. Therefore, you either license him or you

1 don't license him, right?

2 A Yes.

3 Q You sort of assess the situation. You have had  
4 some history. But with respect to the ongoing boxing in the  
5 state, I'm not sure if it is regulatory or statutory, but there  
6 is something that says if a boxer has lost six consecutive  
7 fights, he is to be investigated by the Commission. Now,  
8 apparently, I think you answered Representative Miller with  
9 respect to another regulatory or statutory mandate. You  
10 indicated there was not enough staff to carry that out. Do  
11 you have the staff to carry -- is this being done?

12 A It is being done, yes, sir. The way it is being  
13 done is, what we do is make the promoter provide us with a  
14 professional record of the contestant that he is matching and  
15 interrogate the promoter as to who has won and lost and when  
16 they have occurred. However, it is an imperfect science  
17 without the use of the computer. Once we have a computer  
18 system, it will be foolproof.

19 Q I was going to say how do you know whether  
20 somebody lost in Seattle, Washington one week and in Savannah,  
21 Georgia?

22 A Without the use of a computer and the passport  
23 license system, we don't know. We have one part of that  
24 equation. We have the passport license that they have to take  
25 with them from state to state. And once we get the computer,

1 it will be a very easy task to punch up the name of a fighter  
2 to find out where he has been and there is also a computer  
3 service in New Jersey that is operated by a gentleman by the  
4 name of Ralph Citro (phonetic) that catalogues the records of  
5 all the boxers in the United States of America. We have  
6 access to that. At least we will have. We will be able to  
7 network it. We can do that.

8 REPRESENTATIVE BATTISTO: Thank you. Thank you,  
9 Mr. Chairman.

10 CHAIRMAN OLIVER: Representative Hasay.

11 REPRESENTATIVE HASAY: Thank you, Chairman Oliver.

12 BY REPRESENTATIVE HASAY:

13 Q Good morning, Chairman Binns. I am concluding  
14 from your testimony this morning that you feel that professional  
15 wrestling should be regulated?

16 A Yes, sir.

17 Q Now, in some of the states where it is deregulated,  
18 what do you think are some of the disadvantages for the  
19 wrestler or the wrestling itself where it is deregulated?

20 A Only those that I enumerated before, sir, and I  
21 think there can be a real threat to the health, safety and  
22 welfare of the wrestler if he is allowed to go unbridled and  
23 do that which someone tells him he can earn an extra \$100 for.  
24 Be it cutting himself with a razor, allowing himself to be hit  
25 over the head for real with a chair.

1           We are about to embark on drug testing and I can  
2 only tell you what I read in the newspapers about other  
3 athletes and other sports ingesting drugs. I don't know what  
4 happens with respect to wrestlers. That would be another  
5 thing we would be looking at. If your question is limited to  
6 the wrestler, that would be it. In other words, there would  
7 have to be someone, in my opinion, that can oversee the health,  
8 safety and welfare of that particular individual to insure  
9 that he is allowing himself to be treated like a human being.

10           Q     Well, what happens in some of the other states  
11 that are deregulated? They don't have anything of that nature  
12 at all?

13           A     No.

14           Q     Nothing?

15           A     No. That is why they come to our state with cuts  
16 that they got the day before. And then they say, oh, I didn't  
17 cut myself here. Somebody just opened it up. It just  
18 happened last Saturday.

19           REPRESENTATIVE HASAY: Thank you. Thank you,  
20 Chairman Oliver.

21           CHAIRMAN OLIVER: Representative Hughes.

22 BY REPRESENTATIVE HUGHES:

23           Q     Good morning, Mr. Chairman. You discussed, it  
24 sounds like computers would kind of solve everything?

25           A     It won't solve everything but it will go a long

1 step, yes.

2 Q Would be very helpful. My limited knowledge of  
3 computers indicates to me before you have the computer you have  
4 to have the process, the system for getting the information  
5 out of the field into the computer. My question basically, is  
6 your system in place to get the information from the Blue  
7 Horizon and the Shetter (phonetic) Recreation Center and all  
8 the other places out there where there is some kind of a form  
9 of boxing taking place to get that information into your  
10 computer?

11 A Yes, it is. We have what are called after contest  
12 reports. These reports are a chronology of what happens at  
13 the event. For instance, the Blue Horizon, the chief deputy  
14 goes to that show and he submits at the end of that show an  
15 after contest report which has the identity of the fighters,  
16 the result of the contest, the amount of additional license fee  
17 collected, who was knocked out, who was technically knocked  
18 out, has all the information in written form which then can  
19 very easily be transcribed into the computer by the secretary  
20 at the regional office, be it Philadelphia, Pittsburgh or  
21 Scranton. Yes, that is in place and has been in place.

22 The problem is, a written document such as that is  
23 too unwieldy in the written form and if it is broken down into  
24 different segments that go into the computerized program, it  
25 will be something that will be very facile to operate with.

1 Q How many chief deputies do you have?

2 A Every deputy<sup>is</sup>/capable of being a chief deputy.

3 We have, in the Philadelphia area, approximately 20 deputies.

4 All of those deputies have been instructed as to how to operate  
5 as a chief deputy and in rotation they do operate as a chief  
6 deputy. Some are better than others, but everybody is  
7 supposed to have the capability.

8 Q Is there a criteria set up that they have to meet  
9 before they can become deputy?

10 A No. They have to be able to read and write and  
11 add and subtract. But other than that, there is not a great  
12 deal that goes on at a professional boxing or a professional  
13 wrestling or amateur boxing show that someone with those  
14 capabilities cannot learn and cannot operate within that rubric  
15 to perform after contest reports. We have not had any problem  
16 with respect to the reports.

17 Q No problems with respect to the reports. It would  
18 just seem to me that it would kind of be necessary,  
19 especially with respect to the safety of the participants that  
20 an individual who is responsible for monitoring the situation  
21 should have some kind of knowledge beforehand. It seems like  
22 you indicated that on-the-job training almost is what goes on.

23 A Oh, no. We have training seminars where they are  
24 trained. But the chief deputy would have little or no impact  
25 on the safety of the boxers. I mean, the boxers are trained

1 professionals or amateurs with coaches and there are two  
2 physicians present at the ringside. There is a physical  
3 examination given at the weigh-in, the day of the fight. The  
4 chief deputy is someone who is to go there and see that the  
5 show is run according to the rules and regulations. He would  
6 have very little -- he would have some role to play if a  
7 stretcher wasn't present. He would have to see that one was  
8 there. He knows that before he goes in. I am not talking  
9 about taking you down, if you have never been a chief deputy  
10 and say, here, operate. You would be trained. You would have  
11 operated as a deputy, an assistant deputy before, a deputy  
12 athletic commissioner before you were given the assignment.  
13 But we don't have any problems in that regard.

14 BY CHAIRMAN OLIVER:

15 Q Mr. Binns, during your tenure as Chairman have you  
16 had occasion to investigate any boxer who has lost six  
17 consecutive bouts, and if so, what was your findings?

18 A I have prohibited certain boxers from boxing, yes,  
19 sir.

20 Q For what reason?

21 A For recurring losses.

22 Q What were your findings for you to arrive at that  
23 decision?

24 A Just the fact of the losses and we have had  
25 instances where there have been public hearings and I have told

1 the young man involved that he has to seek another area of  
2 employment. I have had other instances where a hearing was  
3 never requested and on the basis of an abysmal performance or  
4 a repetition of knockouts, I have just advised the fighter  
5 that they would not be fighting again.

6 But when you say the basis of it, it is kind of an  
7 ad hoc thing, Mr. Chairman. I mean, boxing is not something  
8 that is mechanical and there is a lot of it that you have to  
9 be knowledgeable about boxing to know about. You can look,  
10 as someone who is not knowledgeable about the fight game, and  
11 I put that term in quotes, it is term of art, you can look at  
12 an individual who looks to be, appears to be to you a superb  
13 physical specimen, but he might not be able to fight a lick.  
14 That is where you have to have some control over who gets  
15 matched with whom. I can think of one particular instance  
16 where in the case of a former world champion, who was a  
17 superb physical specimen, but he had lost and he had sustained  
18 some severe beatings even when he won fights and it was  
19 necessary for me to retire him. He is happily retired now and  
20 it is going to happen to another one. It is happening right  
21 now to another one whose name does not have to be mentioned on  
22 this record. Because I know he has sustained two severe  
23 beatings, and if you are a boxing fan, you probably saw them.  
24 There is no way that he can convince me that he has anything  
25 to gain by continuing on as a fighter. Coincidentally, his



1 father agrees with me. But that is a call that I have to make  
2 when I shave in the morning. I mean, it would be very easy for  
3 me to say let him end up on his heels.

4 CHAIRMAN OLIVER: Mr. Mitchell.

5 MR. MITCHELL: Thank you, Mr. Chairman.

6 BY MR. MITCHELL:

7 Q Mr. Binns, when did you become Chairman of the  
8 State Athletic Commission?

9 A When?

10 Q Yes.

11 A I think it was in April of 1980.

12 Q When is your term up?

13 A I don't know that it ever is up. It is up when  
14 whomever the present governor is sends a name over to be  
15 confirmed and that individual is confirmed.

16 Q What governor appointed you? Was that Governor  
17 Thornburgh?

18 A Yes.

19 Q Are you paid for this position?

20 A Yes, sir, \$7500 a year.

21 Q Do you have an executive director for your  
22 Commission?

23 A Yes.

24 Q Who appoints him or her?

25 A I believe that the Secretary of the Commonwealth

1 appoints him. That was something that was in doubt for years,  
2 but I think it has been finally resolved, that he is the  
3 direct appointee of the Secretary of the Commonwealth.  
4 According to the audit that was done, I think at one point he  
5 was appointed by the Secretary of Revenue. But I think it has  
6 been now decided that he is an appointee of the Secretary of  
7 the Commonwealth and works directly for the Secretary of the  
8 Commonwealth.

9 Q Is any of your staff under civil service  
10 jurisdiction?

11 A No, sir.

12 Q None at all?

13 A No, sir.

14 Q How many days a week do you put in here  
15 physically at the headquarters in Harrisburg for the State  
16 Athletic Commission?

17 A Me?

18 Q Yes.

19 A One a month.

20 Q One a month, is that adequate in your view?

21 A I'm sorry?

22 Q Is that adequate in your view?

23 A I wouldn't have to put any in in Harrisburg. In  
24 other words, to do this, to do my job effectively, all I have  
25 to do is really have access to a secretary by phone.

1 Q Are you going to watch the Pinklon Thomas/Mike  
2 Tyson fight in Vegas? I know we chatted over that.

3 A Yes.

4 Q Are you planning on attending the Cooney/Spinks  
5 fight in Atlantic City pretty soon?

6 A Yes.

7 Q Do you make it to many of these, obviously you do,  
8 many of these boxing exhibitions?

9 A As many as I can.

10 Q Who determines who goes to which one?

11 A That has nothing to do with my being Commissioner.  
12 That has to do with my being a boxing fan. None of those  
13 expenses are picked up by the Boxing Commission. That is all  
14 my own.

15 Q I see. If I may, Mr. Chairman, I would like to  
16 turn to Item G in the Audit Report and just going back to the  
17 professional wrestling issue. Of course, the Legislative  
18 Budget and Finance Committee called for some revised  
19 regulatory guidelines with respect to professional wrestling.  
20 I would like to get your good shorthand view with respect to  
21 those recommendations. They ought to call for licensing  
22 involving professional wrestler promoters. What is your view  
23 of that?

24 A I agree with it.

25 Q Licensing of professional wrestlers?

1 A I agree with it.

2 Q Licensing of professional wrestling referees?

3 A I agree with it.

4 Q You have already commented to Chairman Oliver  
5 regarding the Medical Advisory Board. That it will be  
6 reactivated, that is correct?

7 A Yes, sir.

8 Q You state that you will have regulations or they  
9 are already underway regarding wrestlers cutting themselves?

10 A We have policy and if it is necessary, we would  
11 put it into law. But I think it is something that really,  
12 were it not for the wrestling people who are here making the  
13 claim that they are making, I would not have made it public to  
14 tell you the truth. Because I think it is something that  
15 doesn't have to be a matter of law. I think it just makes  
16 common sense and it is a matter of human decency not to allow  
17 people to do that. Certainly you would not allow cock birds  
18 to fight one another with spurs on. I cannot envision a  
19 scenario where any human being would allow one of its own kind  
20 to cut himself with a razor just so people out there could see  
21 blood flowing down.

22 Q Well, do you believe there should be regulations  
23 in this regard, regarding use of razor blades?

24 A I don't think you need them. I think, I have no  
25 objection to them. But what I am saying to you is I think you

1 don't need it so long as you have the ability of a wrestling  
2 commissioner to prohibit it under his power to do that which  
3 is necessary for the health, safety and welfare of the  
4 participants.

5 Q I guess my concern, the Committee will have the  
6 final say so, my concern is on the enforcement mechanism of  
7 wrestlers fighting, so to speak, with fans. Perhaps it is  
8 a stage which I don't know, but the Audit Report was quite clear  
9 that there should be regulatory relief regarding wrestlers  
10 fighting with fans, individuals thrown out. I know you agree  
11 with that?

12 A I agree with it all. But I'm saying, if it is  
13 feasible to write a law in that regard, then write one. But we  
14 don't have many instances of fans fighting with wrestlers. We  
15 have a few. When I take you to a wrestling match, you are  
16 going to see why that happens. Wrestling fans are sui  
17 generis.. They are unlike football fans, they are unlike  
18 basketball fans or baseball fans or hockey fans.

19 Q If I may briefly change the scope before I  
20 finalize this. Let me return to amateur wrestling. Do you  
21 believe you should have jurisdiction over amateur wrestling?

22 A No. The reason that we don't need jurisdiction over  
23 amateur wrestling is, number one, we don't have jurisdiction  
24 over any amateur wrestling that is affiliated with an  
25 educational institution which I think that covers every type of

1 amateur wrestling. Amateur wrestling is tournaments, Mr.  
2 Chairman, where they have day long tournaments from six  
3 o'clock in the morning till nine o'clock at night sometimes.  
4 It would be a waste of the resources of the state to assign  
5 deputies to it because I don't think they are run for the  
6 purpose of generating income such as professional wrestling is.  
7 In my opinion, there is no need to have an athletic commission  
8 involved in something that is already regulated and regulated  
9 well and that is regulated well.

10 Q Finally, Mr. Chairman, do you believe that prison  
11 boxing, the Graterford boxing program, individuals in programs  
12 such as that, do you feel that that should be exempt from  
13 your regulatory guidelines, prison boxing as you know it. If I  
14 may very briefly, Mr. Chairman, you are aware that these men  
15 are doing hard time with very little to do. You had a few  
16 years ago one particular popular prisoner, who I forget the  
17 name.

18 A His name was James Scott.

19 Q That's right, James Scott. He was heading for the  
20 title, and light heavyweight division. Do you feel prison  
21 boxing should be regulated?

22 A My personal opinion is that it should be regulated,  
23 yes. Every boxer, who is a prison boxer, is not a hardened  
24 criminal. I would say that the vast majority are not hardened  
25 criminals. I would say that prison boxing is a worthwhile

1 endeavor for a young man who has taken a misstep in life and  
2 finds himself incarcerated and it is something that he can do  
3 while he is in there and it is something that should he achieve  
4 a certain level of capability will give him a means toward a  
5 very lucrative income when he finishes paying his debt to  
6 society. I think it should be continued to be regulated and I  
7 think it should be continued to be fostered and I think people  
8 who are involved in the program should be given as much  
9 encouragement as they can.

10 MR. MITCHELL: Thank you, Mr. Chairman.

11 CHAIRMAN OLIVER: Any other questions?

12 Representative Linton.

13 REPRESENTATIVE LINTON: Thank you, Mr. Chairman.

14 BY REPRESENTATIVE LINTON:

15 Q Chairman Binns, I'm happy to have a chance to see  
16 you this morning and want to kind of continue some lines of  
17 questioning from before regarding the wrestling issue. I'm  
18 not quite sure I know all the questions that staff has  
19 asked, but I would like you to ask you one regarding the  
20 wrestling. Do you see wrestling as being analogous to boxing  
21 where in fact you have two individuals basically independent  
22 of one another with a promoter both having, a purse being  
23 presented to the victor in a large degree than the one that has  
24 lost versus wrestling being similar to a circus where in fact  
25 it would be conceived more as a performance, entertainment per

1 se? That is in fact organized and operated by one faction and  
2 therefore more of an acting performance kind of setting rather  
3 than an athletic event?

4 A No and yes. Are they two questions?

5 Q No, they are one question.

6 A I can break them down into two. The first part of  
7 your question, the answer is no.

8 The second part of your question, the answer is  
9 yes, however, with the emendation that I would not use the  
10 word circus. I would simply stay with the word as it is  
11 couched in the Athletic Code and that is exhibition,  
12 exhibition. No winning or losing, no purse. It is nothing  
13 like boxing.

14 Q What I am trying to draw is whether or not  
15 wrestling per se should in fact be regulated, should in fact be  
16 overseen by the Athletic Commission? Whether or not it is in  
17 fact an athletic event or whether it is a show, a performance  
18 like the concert, the theater, the circus.

19 A Well, we have spent most of the morning discussing  
20 that, sir.

21 Q I see the Court Reporter is verifying that that  
22 was in fact discussed.

23 A In great detail.

24 Q In great detail, so, I guess I will have to go  
25 over the Court Reporter's report and not indulge this



1 Committee with any more questions in that regard.

2           A     No, I don't want to put you to that trouble. My  
3 position is as follows: it is not a contest. It is an  
4 exhibition. It needs to be controlled because someone has to  
5 protect the health and safety of the wrestlers. Because the  
6 wrestlers, if left unattended, will hurt themselves, they'll cut  
7 themselves with razor blades, hit each other with chairs, fight  
8 with the fans. So, that is one area of protection that somebody  
9 has to do and the Athletic Commission does a very good job.

10                     There has to be some protection for your  
11 constituents and that is the people who go to these shows.  
12 Because left unattended, they, too, will hurt themselves and the  
13 wrestlers. They throw debris in the ring. They fight among  
14 themselves, they fight with the wrestlers. When I say debris,  
15 I am not talking about throwing a piece of paper or a peanut.  
16 I'm talking about rocks, cans. And, Mr. Chairman, just a  
17 little vignette, the one before the last one we had at the  
18 Civic Center, I found a fan, you can't believe this, he had  
19 smuggled a six-pack of 12 ounce beer cans and he had consumed  
20 five of them. And just as a little kicker, he had a can of  
21 paint thinner that he was sniffing. Now, this guy, he didn't  
22 even know what planet he was on. He was there. This was a  
23 women's wrestling show. They were great. The women were  
24 great. They bring these women in from Miami and from Las Vegas  
25 and they can do all of the acrobatics that the men do. They

1 really do a good job.

2 I had to get personally involved to get the  
3 security people to get him to get him out and get him arrested.  
4 Because the normal thing for them to do is, look, that is not  
5 our problem. Let's get the guy out. Let's see if we can do  
6 it with as little fanfare as possible. You have to have people  
7 there to control what the fans will do to one another.  
8 Imagine what that guy is capable of doing. Imagine - five  
9 12 ounce cans of beer consumed and I don't know how much fumes  
10 from his can of paint thinner. It is amazing.

11 REPRESENTATIVE LINTON: Thank you, Mr. Chairman. I  
12 guess I will not prolong this issue and I guess it has been  
13 discussed over and over again. I'll have to talk to my  
14 colleagues and also review some of the information that was  
15 obtained earlier.

16 BY REPRESENTATIVE LINTON:

17 Q Can I move on to another area and leave wrestling  
18 and go to boxing? Maybe that was discussed also. Recent  
19 years there has been a lot of discussions about changes in the  
20 area of boxing in terms of the kind of gloves that are used  
21 and some other kinds of things in terms of safety hazards,  
22 new protections, things that could be done to make the sport  
23 safer than it is now. Even at what point referees intervene  
24 during a match, what kind of medical attention is being  
25 provided ringside and whether or not we should go to headgear,

1 a number of other things that have been discussed. What is the  
2 feelings of the Commission around those kind of safety issues  
3 related to boxing?

4 A With respect to headgear, for some time now,  
5 maybe five years, I have made it mandatory for amateur boxers  
6 to wear headgear in all contests. We don't have a written  
7 rule. That is the policy. I think that there is a written  
8 rule now being prepared by a member of the House of  
9 Representatives or the State Senate, I am not sure. It could  
10 be Senator Kelly. But in any event, that situation has  
11 obtained for at least five years.

12 In addition to that, we have a rule -- strike that.  
13 We have a policy against allowing boxers who have sustained  
14 a detached retina to compete again. Once they have a detached  
15 retina, regardless of repair of it or regardless of the  
16 reputation of the physician or surgeon who repairs it, they no  
17 longer fight in Pennsylvania.

18 We have a policy that dictates thumbless gloves at  
19 the amateur rank. We don't have a written rule, once again,  
20 but we have put that in and it has gained universal acceptance  
21 throughout the state. We are going to implement the same rule  
22 with professional boxing within less than a six-month period.  
23 That is already on the books.

24 We have a rule -- strike that. We have a policy  
25 whereby with respect to state championship fights we have drug

1 testing after the fights. It is my view that we ought to have  
2 random drug sampling at every fight. We ought to be able to  
3 walk in and say to whomever we like to that night, you are  
4 going to give a urine sample and see what it shows up. In the  
5 event it shows positive, we would take whatever the necessary  
6 actions were.

7           Our biggest problem with respect to safety is the  
8 nonuse of yearly physicals that would test the eyes, the brain.  
9 Our biggest problem is the nonuse of what are really mandatory  
10 post fight physicals and we need more money to do that. We need  
11 a bigger staff. We need to have the consultation with our  
12 Medical Advisory Board, which is now being formed, which has  
13 been moribund. The people who are members of the Athletic  
14 Commission are very safety conscious and we do the best we can  
15 in that area and we will continue to do that.

16           Q     Along the same issue, are there any specific  
17 requirements of physicals as required that a boxer has a  
18 physical every three weeks or every two months or any specific  
19 interval, nothing of that nature?

20           A     A boxer gets a physical the day of the fight, but  
21 the physical is not much of a physical. And we have been  
22 endeavoring for the past seven years to have at least a yearly  
23 mandatory physical where a boxer will go to a hospital and  
24 have a CAT Scan, have an EKG, have an ECG, have an  
25 ophthalmological examination. That in my view should be

1 rudiments. In other words, you have to have at least that in  
2 order to have a quality health oriented physical examination.  
3 The problem is money. We would have to have that provided for  
4 in our budget and with the help of a Medical Advisory Board, we  
5 would then be able to either have it done through a state  
6 affiliated hospital such as Temple in Philadelphia or we would  
7 have to contract it out to whomever the lowest bidder would be.  
8 But it is tough to take a boy off the streets, who is trying  
9 to do something with his life, and let's say he is 16 years old  
10 and wants to be an amateur boxer. And the alternative is to be  
11 hanging on the street corner and ingesting drugs. To tell him  
12 in order to be an amateur boxer, he has got to come up with  
13 \$500 in order to get tested so we can tell whether or not he  
14 is predisposed toward a subdural hematoma. Do you know what  
15 that kid is going to do? I mean, \$500 to a boy from the inner  
16 city, it is a lifetime of earnings. Though he is going to say,  
17 well, I just better stay out here with the boys at the corner.  
18 I can pay five dollars for a nickel bag.

19 So, we have been wrestling with it, but we have not  
20 had the support that we needed until now. Now we have support,  
21 I am happy to say.

22 Q Where is that support?

23 A From the Secretary of the Commonwealth, Secretary  
24 Haggerty.

25 Q One other question along the same lines, is there

1 a required interval that is required between events or between  
2 bouts? For instance, can a fighter engage in a bout every two  
3 weeks or does he --

4 A No, there is a required interval and in most  
5 instances it is adhered to. We also have required intervals  
6 after which a fighter may not fight, if he has sustained a  
7 knockout, for 90 days. The problem that you have with that is  
8 that fighters from outside the state, there are in the boxing  
9 business what are known as flesh merchants and we try to flush  
10 out the flesh merchants. The flesh merchants will take kids  
11 literally from the street corner in North Carolina, bring them  
12 up and give him 50 bucks to get knocked out in Philadelphia and  
13 keep right on going down the north-south freeway to Atlantic  
14 City and give him 50 bucks to get knocked out there the next  
15 night and then give him another 50 bucks when he gets up to  
16 New York to do it. There are individuals who are known flesh  
17 peddlers. The only way, there could be all the regulation in  
18 the world, the only way you are going to control that is with  
19 an adequate passport license system where the boxer's face is  
20 on the license like a passport and an integrated computerized  
21 network that I can tell that Johnny Jones fought in Pittsburgh  
22 two nights ago and if he tries to come to Scranton or tries to  
23 come to Philadelphia to fight, we will be able to punch his  
24 name up on the computer and say, no, you can't do it.

25 Q You're telling me that Sugar Ray Leonard cannot

1 box in Pennsylvania?

2 A That is correct.

3 Q Because of the regulation?

4 A That is absolutely correct.

5 Q Final question, since we have a State Boxing  
6 Commission, is there any intrastate or some sort of reciprocity  
7 or any other kind of regulation that is generally held  
8 throughout the country? What I am hearing is that Sugar Ray  
9 Leonard issue is one that we have a regulation here regarding  
10 not allowing someone to fight with a detached retina. They may  
11 be able to go to New York and do that or New Jersey or  
12 somewhere else. Do we have some standards that are nationally  
13 ought to recognized that we adhere to or is there any sort of council  
14 that the state commissions participate in in terms of moving  
15 towards something like that?

16 A There is a formation of a group that is called the  
17 Association of Boxing Commissions and that is made up of  
18 various state commissions, Pennsylvania being one of them.  
19 There is also -- the answer to your question is, no, there is  
20 not a formalized network. There is rather an informal rule  
21 that should a boxer be suspended in one state, that would be  
22 recognized in another state if there is a boxing commission  
23 there and that is adhered to.

24 There is a loose knit group formulated that calls  
25 itself the Association of Boxing Commissions. I gave them

1 their name. We met up in New York with a group of about 20  
2 commissioners a year or so ago. Commissioner Baer has  
3 recently attended one of their functions.

4           There is on the drawing board a National Boxing  
5 Commission that is being sponsored by Representative Richardson  
6 from Albuquerque, New Mexico. At least it appears at this  
7 point, is going to endeavor to have some formalized standards  
8 for safety in boxing that would be nationally promulgated and  
9 would have to be adhered to by the states because of the  
10 national flavor of it. That is really what there is. For a  
11 long time, boxing has been left to go unattended and there is  
12 no, at this point as we talk, there is no formal document that  
13 states would have to adhere to. I can pick up the phone and  
14 talk to Larry Hazard in New Jersey. I could pick up the phone  
15 and talk to Jose Torres in New York. I could pick up the phone  
16 and talk to Fred Lamson in Kentucky. I could pick up the phone  
17 and talk to Sid Rovich (phonetic) in Nevada. I know them all.  
18 I know all of the people who are chairman of the various  
19 commissions all over the United States, and if I told them  
20 something that I would think impact on the health and safety  
21 of one of their fighters, they would probably listen to me but  
22 they wouldn't be compelled to.

23           REPRESENTATIVE LINTON: Thank you very much.

24 No further questions, Mr. Chairman.

25 BY CHAIRMAN OLIVER:



1 Q Mr. Chairman, I have witnessed matches, wrestling  
2 matches, whereas the wrestler would punch the referee. Yet and  
3 still he wasn't disqualified. Was this part of the act?

4 A It is all part of the show, Mr. Chairman.

5 Q I think I'm going to have to stop watching it.

6 A I am going to take you with me one time.

7 Q I'd love to do that.

8 A You want to go with me.

9 Q I would like to be up close.

10 A The next time these people are in town, this is  
11 Mr. Monsoon from Titan Sports, this is Mrs. McMahon from Titan  
12 Sports. I don't know who the other two gentlemen are. The  
13 next time they are in Philadelphia, you are going to go with me  
14 to the Spectrum and I'm going to take you down. Would this  
15 gentleman who just stood up now, if he wants to come up here  
16 and make whatever statement he wants to, I will be happy to  
17 answer it for you or for every member of the Committee or for  
18 every member of the public. No problem.

19 CHAIRMAN OLIVER: Mr. Mitchell.

20 MR. MITCHELL: Thank you, Mr. Chairman.

21 BY MR. MITCHELL:

22 Q Back to the audit. Who answers to whom, Mr. Binns,  
23 the executive secretary as opposed to the Chairman, yourself?  
24 Who answers to whom, the Audit Report shows --

25 A The executive secretary answers to the Secretary of

1 the Commonwealth.

2 Q In the day-to-day operations, however, is that also  
3 true?

4 A Yes.

5 Q Who provides the performance evaluation of the  
6 executive secretary?

7 A I believe the Secretary of the Commonwealth.

8 Q Are you aware there hasn't been a performance  
9 evaluation of the executive secretary since 1982?

10 A That is not true.

11 Q That is what the Audit Report states.

12 A I know. But the problem was, and look, what I am  
13 trying not to do is, I don't want to rock any boat that has  
14 been righted. There was a time when the ship of the Athletic  
15 Commission was shaky with respect to whom the executive  
16 secretary reported to and what his duties were and what the  
17 functions of the Commission were vis-a-vis one another. That  
18 has all been taken care of now because of the intervention of  
19 Secretary Haggerty. There was a time when a chart was  
20 distributed that showed that the executive secretary reported  
21 to me. Well, that didn't turn out to be true. I did not  
22 prepare the chart. The chart was prepared by people in the  
23 State Department. There was a time when the executive  
24 secretary was told that he had to report to me. Then he got a  
25 letter saying he couldn't report to me, he had to report to the

1 Secretary of the Commonwealth. Then he was told he had to  
2 report to both me and the Secretary of the Commonwealth. Then  
3 he was told that he couldn't report to me unless it was a joint  
4 action of the Commission. I am sure he was confused. I know  
5 I was.

6 The fact of the matter is, as it stands right now,  
7 our executive secretary is physically housed in Harrisburg.  
8 It seems to me to be working fine. He is an appointee and  
9 reports to the Secretary of the Commonwealth and I assume on a  
10 day-to-day basis he works with Bob Grant, who is the Chief  
11 Deputy to the Secretary of the Commonwealth. That is the  
12 answer to your question in a nutshell unless you want to take  
13 it further.

14 Q How is the working relationship between you and the  
15 executive secretary coming along?

16 A It is fine. There is really no need for there to  
17 be day-to-day contact. There is no need to be what is one  
18 time thought to be misdirection coming from me. He works for  
19 the Secretary of the Commonwealth the same as Bob Grant.

20 Q Who divides the administrative responsibilities  
21 between yourself and the executive secretary?

22 A There aren't any. I don't have administrative  
23 responsibilities. I have a region, which I control, which is  
24 known as the Philadelphia Region. Richard Baer has a region  
25 to control which is called the Pittsburgh Region. Charles

1 Bednarik has a region to control which is called the Scranton  
2 Region. We each have our own individual secretaries. All of  
3 those activities are coordinated through the executive  
4 secretary. The executive secretary deals with the secretaries  
5 in our office or if on occasion, if he sends a memo and needs  
6 something and the memo comes to me, it gets replied to and he  
7 gets it. If, on the other hand, if I need something and I send  
8 a memo up to Harrisburg, it comes back and it is done.

9 Q Turning to another area of audit, briefly, Mr.  
10 Chairman, regarding pay, your deputy commissioners as well as  
11 Commission members. The Audit Report outlines perhaps there is  
12 need for revision there as well. What should it be regarding  
13 the pay of deputy commissioners?

14 A You mean should it be escalated?

15 Q Yes.

16 A Well, I think it should be escalated. I think  
17 the deputy commissioners work hard. I think that they are  
18 entitled to be compensated for it. I think our physicians  
19 should be compensated ~~more~~ as well. But you can only go to  
20 the well so often unless there is some water in it and the  
21 water that we need is additional funding.

22 BY CHAIRMAN OLIVER:

23 Q What is the deputy commissioner's salary?

24 A They don't get a salary, sir. They get a stipend  
25 per event and it goes down to units of an hour and I believe

1 it averages out to about \$60. Then there is an additional five  
2 dollars for the chief deputy or \$15.

3 Q No other --

4 A They are not on salary. They work the events that  
5 they are assigned to.

6 Q What about the Commission members?

7 A The Commission members are salaried. I get, I  
8 thought I said that before to Mr. Mitchell, I get \$7500 a year  
9 because I am a chairman. The other two commissioners get  
10 \$7000 a year. In New Jersey, the chairman gets \$68,000 a year  
11 and he has deputy commissioners who earn \$45,000 a year. In  
12 New York -- I misspoke. In New York, Jose gets \$68,000 a year.  
13 In New Jersey, I believe, Larry Hazard gets upward to \$50,000  
14 a year.

15 Q Based on what you just said, do you consider  
16 your position being underpaid?

17 A It doesn't matter to me. I am a boxing fan. I am  
18 a wrestling fan. I like to be involved.

19 Q Let's talk about the position itself rather than  
20 just on an individual basis.

21 A Well, of course.

22 Q My question was, in comparison --

23 A It is the difference between \$7500 and 62,000. To  
24 tell you the truth, I wouldn't be prepared to discuss the  
25 salary and it is unimportant to me. But it is obvious to me

1 that if you have one commissioner who is paid \$68,000 a year  
2 in a neighboring state and another commissioner who is paid  
3 upwards of 50 or 55,000, I don't have the figures, but I think  
4 Mr. Dario has them in the footnotes. They do what we do.  
5 They have deputy commissioners who make more than \$40,000 a  
6 year. I don't think anybody here is doing it for the money.

7 BY MR. MITCHELL:

8 Q Briefly, on page 26 of the Audit Report it sets  
9 forth the figures. Inspectors for the New York Commission re-  
10 ceive \$39 per event. A full-time commissioner of New Jersey, as  
11 Mr. Binns highlighted, receives an annual salary of \$60,000.

12 A 68.

13 Q It's 60 on the audit, however --

14 A Well, I'm reading from your page 26.

15 Q Page 26, at the bottom of the page?

16 A Yes. It says New York has a full-time commissioner  
17 that receives \$68,000.

18 Q I was reading New Jersey, that is why.

19 A With the other two commissioners receiving a per  
20 diem of \$110 for the meetings they attend up to a maximum of  
21 5000 a year. New York has five full-time deputy commissioners.  
22 Inspectors for the New York Commission receive \$39 per event.  
23 New Jersey has a full-time Commissioner who receives 60,000.  
24 New Jersey has two full-time deputies who receive 47,000 and a  
25 full-time chief inspector who receives 35,000. Part-time

1 inspectors in New Jersey receive approximately \$7 per hour per  
2 event. It comes to about \$42.

3 CHAIRMAN OLIVER: Representative Hughes.

4 BY REPRESENTATIVE HUGHES:

5 Q Let me see if I can try and get a fix on this.  
6 How many professional boxers are licensed or regulated or  
7 permitted to fight in the Commonwealth of Pennsylvania?

8 A We have, I believe, 600 licenses out of the  
9 Philadelphia office and maybe 200 of them are fighters. There  
10 is not that many in the other offices. There may be a total  
11 of maybe 25 or 30, maybe as high as 50.

12 Q Notwithstanding the lack of a computer, do you  
13 have a fiscal record of background information and fights  
14 schedule, won-loss record, health record on each of these  
15 fighters?

16 A As they come to fight, yes.

17 Q Is this located somewhere in the Commonwealth  
18 of Pennsylvania, a file on each one of these fighters?

19 A No. There is a file -- as they come in they get  
20 their license and execute a form. They fill out a form  
21 whether they have been licensed before, their age, their  
22 employment, et cetera. There has, to my knowledge, never been  
23 an accurate compilation of data on each fighter. I require  
24 the promoter to get it as the fighters come to fight.

25 Q When was the last legislative audit of the Athletic

1 Commission done?

2 Maybe Mr. Dario can answer that.

3 MR. DARIO: Previous to the one that we did this  
4 winter, there was, to my knowledge, never one done. In other  
5 words, we completed one this winter, February. Prior to that  
6 there was never one done prior to that time.

7 MR. BINNS: The Athletic Commission has been the  
8 poor sister in the State Department for as long as I can  
9 remember.

10 BY REPRESENTATIVE HUGHES:

11 Q You have read this audit?

12 A Yes.

13 Q You have been the Commissioner since?

14 A Since 1980. I agree with everything that is in  
15 the audit by and large.

16 Q You are essentially in agreement with everything  
17 that is in this?

18 A I think the bottom line in this audit is that we  
19 have not been given the backup that is necessary to run an  
20 athletic commission. And I say that from having read the audit  
21 and having discussed it personally with Mr. Dario and having  
22 cooperated with Mr. Dario in writing of it much to the  
23 chagrin of the then incumbent members of the State Department.  
24 There was a point when I told Mr. Dario that if he wanted to  
25 come and get a key from me to go to the office at twelve



1 o'clock midnight, because he wasn't being given the information.

2 REPRESENTATIVE HUGHES: Thank you.

3 CHAIRMAN OLIVER: Representative Linton.

4 REPRESENTATIVE LINTON: Not at the moment.

5 CHAIRMAN OLIVER: Representative Schuler.

6 REPRESENTATIVE SCHULER: Thank you, Mr. Chairman.

7 BY REPRESENTATIVE SCHULER:

8 Q Page 38 of the report, sir, it is confusing. It  
9 appears the auditors attended five professional wrestling  
10 exhibitions and at these exhibitions they found that all the  
11 rules that were established were being violated, I am down at  
12 the bottom of the page.

13 A I know. I am looking now when they say for example.

14 Q Then it goes on to say on page 39, "In short, the  
15 Commission's regulations are designed to regulate a genuine  
16 competitive sport. Not commercial professional wrestling as it  
17 now exists in the Commonwealth."

18 A That is true.

19 Q Now, if you were to enforce the rules that you now  
20 have, would professional wrestling, as we know it, as an  
21 exhibition, be allowed in Pennsylvania?

22 A Probably not.

23 Q Probably not, you say. Does that mean that maybe  
24 we should have a separate set of rules for professional  
25 wrestling?

1           A     That is exactly what it means.

2           Q     Would you recommend that?

3           A     Yes. I think that the rule, it is kind of like the  
4 tail wagging the dog. I think the rules of wrestling would  
5 have to be such as to demonstrate a clear dichotomy between  
6 wrestling and boxing which you don't really have now. You  
7 would have to really go along and see what happens in a  
8 wrestling match and take from that, that which you think is  
9 wholesome. Codify that as being allowed and see what is  
10 unwholesome and prohibit that.

11          Q     Whose standards are we going to use, sir?

12          A     Yours. In other words, you make the laws for the  
13 Commonwealth of Pennsylvania that the people such as wrestling  
14 promoters have to adhere to and participants have to adhere to.  
15 I think that you should have the advice of people on the  
16 Athletic Commission, but you are going to have to promulgate  
17 the rules. We would be happy to help you. I am only giving  
18 you, in other words, you are asking me questions that I can  
19 answer from having seen with my own eyes and having been  
20 around things that you haven't.

21          Q     Are you suggesting that the legislature come up  
22 with a statute rather than you make the regulations?

23          A     Well, it is kind of like a chicken or an egg thing.  
24 We, because of the audit that has been done, it is apparent  
25 that which was written back in 1955 and starting out in 1929 is

1 no longer capable of being considered to be in the real world.  
2 It needs to be revamped. We should set out and do that and we  
3 should do it with your help because you are the ones who are  
4 going to have to write the statute.

5 Q We do that through your legislative review.

6 A Yes.

7 Q But you do see a need for a different set of  
8 regulations for the professional wrestler?

9 A I think so. As I say, wrestling, not only are the  
10 fans, wrestling itself is a sui generis thing. It is not  
11 like what you are going to see if you go to Lehigh University  
12 and see kids wrestling. You are not going to see that.

13 Q I understand that. One final question, Mr.  
14 Chairman. In regard to the safety of our professional wrestlers  
15 in Pennsylvania, maybe you don't have this information. But  
16 in Pennsylvania or throughout the nation how many professional  
17 wrestlers have died?

18 A I would say practically none.

19 Q How many have been seriously injured?

20 A I would say practically none. I mean, you are  
21 going to find out, that is not to say that you are not going  
22 to come up with somebody and say, oh, well, Hillbilly Jim  
23 broke his leg or this or that. Sure, there is going to be a  
24 misstep here and there. Wrestlers are very talented athletes.  
25 They go from city, if you took the wrestling schedule of Titan

1 Sports, for instance, and see where there wrestlers go. One  
2 day they are in Philadelphia. The next day they are in Hershey.  
3 The next day they are in Pittsburgh. The next day they are in  
4 some other state. They are in great shape, but they are not  
5 in wrestling to get hurt.

6 Q Is that the difference why for a boxer you have  
7 a --

8 A Sure, if a boxer can main his opponent, if a boxer  
9 can deprive his opponent of the single most thing that  
10 differentiates you and I from an animal, he's going to do it.  
11 He's going to knock him out. That's the best way to win a  
12 boxing match.

13 Wrestlers are not going to do that. Wrestlers  
14 don't get knocked out. It is that simple. They don't hit  
15 with closed fists. They are not allowed to. And even if  
16 they were allowed to, they wouldn't.

17 REPRESENTATIVE SCHULER: Thank you. Thank you, Mr.  
18 Chairman.

19 CHAIRMAN OLIVER: Mr. Mitchell.

20 BY MR. MITCHELL:

21 Q Is there an executive director for our State  
22 Athletic Commission?

23 A The executive secretary.

24 Q Executive secretary, sort of like interchangeable  
25 type title?

1           A     I don't know what the definition of executive  
2 director is, but we have an executive secretary who functions  
3 in Harrisburg who is an appointee of the Secretary of the  
4 Commonwealth, is responsible to him and functions to coordinate  
5 the efforts of the three offices.

6           MR. MITCHELL: Thank you.

7           CHAIRMAN OLIVER: Representative Linton.

8 BY REPRESENTATIVE LINTON:

9           Q     Mr. Binns, I have served for the last several years  
10 on numerous Sunset hearings and have looked at a large number  
11 of Legislative Budget and Finance Committee reports. I can't  
12 remember seeing so many recommendations being made to change  
13 a commission. All the reports that I have seen, it almost  
14 looks like we are creating a commission rather than auditing  
15 or in fact making some changes. There seems to be a large  
16 amount of administrative things that have not been done, a  
17 lack of computerization. Many rules and regulations have not  
18 been established by the Commission; just a random gleaning of  
19 the information here. Could you explain to me why our State  
20 Athletic Commission is in such sad shape?

21          A     You just have to read the reports because there has  
22 been absolutely no backup from the Department of State. It is  
23 that simple; none, no money. They took our money and spent it  
24 elsewhere. No computer systems. The last Secretary of the  
25 Commonwealth told the present Secretary of the Commonwealth

1 that in his opinion boxing should be abolished. If you've got  
2 somebody at the helm like that, how are you going to run an  
3 athletic commission?

4 Q Well, there is always a lack of resources. We  
5 never have enough money. We never have enough resources for  
6 any of us to do what we think we need to do. Also, it looks to  
7 me that within the confines of the resources, it seems to me  
8 that there was some policies that were not established. That  
9 there were some routines that were not established. That there  
10 was no consistency in the regulation. I was looking at the  
11 issue with the thumbless glove that was done in the region of  
12 Philadelphia but was not done statewide. Some policies that  
13 were established that did not go through the full Commission,  
14 not voted on. That seemed to be arbitrarily kind of imposed.  
15 Those things are not things you need computers to do or  
16 additional dollars. There seems to be some administrative  
17 issues that one should in fact create within the Commission  
18 itself.

19 A Well, with respect to, the only one thing I heard  
20 you say was the thumbless gloves. That was done statewide.

21 Q Then I guess I misread the issue that said this was  
22 in fact done within the Philadelphia region.

23 A It was started there. I did it.

24 Q Oh, it was started in the Philadelphia region?

25 A Yes. But when it was started in the Philadelphia

1 region, we did it everywhere. It just happened to be my idea.  
2 The same with the head gear.

3 Q Was that something that was voted on by the  
4 Commission and established as a policy or was it something that  
5 you started as Chairman of the Commission?

6 A No -- well, both. It was verbalized at Commission  
7 meetings and then we did it. But we were never advised by anybody  
8 in the Department of State until we had the new lawyer come in  
9 that we had to go through any kind of a regulatory process.

10 Q So, no one ever informed you there were procedures  
11 that you had to follow in order to implement your policy?

12 A No. Wait a minute, I'll say this. I misspoke.  
13 It wasn't Miss McKeever. It was under the last administration  
14 that that was finally brought up. We didn't know anything about  
15 that.

16 Q Dealing with lack of resources, is it true that  
17 there is a surplus?

18 A That is what we are told there was last year and  
19 in spite of that, they took that money and put it someplace  
20 else. I can't explain that to you.

21 Q What kind of involvement does the Commission have  
22 in the budget process?

23 A In the past there has been practically no  
24 involvement, none. I can remember instances where they would  
25 say to the executive secretary, you have to prepare some kind

1 of a request. But from what I saw, his suggestions were given  
2 very short shrift and we were told that there just wasn't money.

3 Q You were told there was not money. Have you made  
4 formal requests for items that you felt the Commission needed  
5 in your budget request or even during the course of once your  
6 budget was okayed, what was the process?

7 A Those matters were handled within the Department of  
8 State. They were not considered as Commission matters.

9 BY CHAIRMAN OLIVER:

10 Q Mr. Binns, in regard to the question he asked, if  
11 you made the request?

12 A No, I did not. The only request that I made were  
13 the requests we would constantly make in the Commission  
14 meetings, in the minutes of the meetings, with respect to  
15 computerization and with respect to a Medical Advisory Board  
16 and with respect to augmenting the salaries of the deputies.

17 BY REPRESENTATIVE LINTON:

18 Q The lack of a Medical Advisory Board, was this  
19 something that was requested in writing? I understand the  
20 Governor, who was in fact the Governor's appointees, the  
21 Governor made appointees to the Advisory Board?

22 A The way it is supposed to work is that the  
23 Governor is supposed to make appointments from recommendations  
24 that are made to him.

25 Q Recommendations by the Commission or recommendations



1 by --

2 A For the Commission. I forget the exact wording.  
3 It may be from not the Commission itself but from, I believe  
4 they come through the Department of State. Now, what we did  
5 during the past seven years, I made, I guess about eight  
6 different public requests for the implementation of the  
7 Medical Advisory Board and on six occasions I called for the  
8 banning of boxing or the suspension of boxing until a Medical  
9 Advisory Board was created.

10 Q When you say public requests are you talking about  
11 the media?

12 A I'm talking about letters and statements at public  
13 Commission meetings.

14 Q What was the response from either the Governor or  
15 the secretary in regards to your requests for appointees to  
16 the Medical Advisory Board? Mr. Binns, if you could just give  
17 a synopsis.

18 A I'm going to give you a synopsis, but I think  
19 there is something you should hear.

20 On July 20, 1982 I sent a memo to the Governor's  
21 office requesting a Medical Advisory Board. The contents of  
22 that memo were discussed at the Commission meeting on December  
23 1, 1982. Thereafter, I telephoned the Governor's office to  
24 verify if my memo had been received and was told it was.

25 On August 12, 1983, we had another discussion at a

1 meeting of the Athletic Commission. On February 23, 1984, I  
2 requested the then chief counsel to draft a letter, which he  
3 did. On March '84 I wrote to Dr. Miller, Secretary of Health  
4 for the Commonwealth of Pennsylvania, I wrote to Dr. Lyons,  
5 the Chairman of the Board of Medical Education for the  
6 Commonwealth of Pennsylvania. On May 1st, Mr. Pfeiffer and  
7 I, the then chief counsel, requested an opinion of the  
8 Ethics Commission concerning whether we could get Dr. Lyons to  
9 serve. We got it. On June 26, '84, I recommended Dr. Northrup,  
10 a neurosurgeon at Jefferson Medical Center. That  
11 recommendation was passed on to the Governor's office by a  
12 memo dated June 29, 1984. Dr. Northrup submitted his  
13 curriculum vitae. That was forwarded to me by me to the  
14 Department of State on June 3rd, 1984.

15 We then got the approval of the Ethics Commission  
16 on July 12, 1984. Several months elapsed. I wrote to the  
17 Secretary of the Commonwealth on October 19th, 1984. I told  
18 him in my letter to him that we should suspend boxing until we  
19 had the Medical Advisory Board. At a meeting on October 17,  
20 1984, I recommended again we suspend boxing until we had a  
21 viable Medical Advisory Board and I discussed my recommendations  
22 of Dr. Northrup again, Dr. Lyons again and a Dr. Lomax from  
23 Philadelphia who is a friend of mine.

24 Q I've seen you have made numerous requests. What  
25 kind of response? Did you ever get a formal letter from the

1 Governor, secretary or anyone?

2 A No.

3 Q Nothing. You just continued to make those written  
4 requests and go on through the process but no response for any  
5 of the appointing authority as to why or when they would  
6 appoint somebody to the Advisory Board?

7 A Right.

8 Q That is incredible.

9 A These are all matter of public record.

10 Q Where are we now in terms of, under the new  
11 administration, and I guess I'll have to hear from someone from  
12 the secretary's office?

13 A We are making great strides. I have submitted  
14 three names. Commissioner Baer has submitted three names.  
15 Commissioner Bednarik has submitted three names. I think Bob  
16 Grant has been here, and they have been appointed. I am just  
17 happy to tell you that right now. I didn't know that before  
18 today that they have been appointed. The Governor has appointed  
19 them. We now have a functioning Medical Advisory Board for  
20 the first time in eight years that I know of.

21 Q Do the members of those boards receive any kind of  
22 compensation for serving, per diem or --

23 A Yes, I believe they will get a per diem stipend.

24 Q Is that by regulation, is that by statute or under  
25 statute?

1                   MR. MITCHELL: It is under statute regarding the  
2 Medical Advisory Board. It is set forth under Article 4. It  
3 sets forth that the Medical Advisory Board is created. It sets  
4 forth the powers and the duties and the composition. It says  
5 nothing about the Commission, the State Athletic Commission  
6 creating the Medical Advisory Board. Of course, the Board is  
7 appointed by the Governor and the member of the Board would  
8 have varying terms.

9                   MR. BINNS: It is created by statute. It is not  
10 created by us.

11                  REPRESENTATIVE LINTON: Thank you very much. Just  
12 an editorial note, as I said earlier, it seems that we have a  
13 lot to do with the State Athletic Commission. I'm glad to see  
14 we are making some inroads on some of those long-standing  
15 issues. It seems like this Committee has a lot to look at in  
16 terms of making sure we have an Athletic Commission that we  
17 can be proud of and can assure the health, welfare and safety.  
18 Thank you very much. No further questions, Mr. Chairman.

19                  CHAIRMAN OLIVER: Mr. Binns, on behalf of the  
20 State Government Committee, I want to thank you very much  
21 for appearing and presenting your testimony.

22                  MR. BINNS: Thank you very much.

23                  CHAIRMAN OLIVER: At this time we'll take a  
24 ten-minute break.

25                  (Brief recess.)

1 CHAIRMAN OLIVER: This meeting will now come to  
2 order, please. The next person to testify before this  
3 Committee today will be Mr. Richard Baer, Commissioner. You  
4 may proceed. Do you have prepared testimony?

5 MR. BAER: No, sir, I do not.

6 CHAIRMAN OLIVER: Do you want to make an opening  
7 statement of any kind?

8 MR. BAER: No, sir, but I am prepared to answer  
9 any questions.

10 CHAIRMAN OLIVER: Thank you very much.  
11 Representative Schuler.

12 REPRESENTATIVE SCHULER: Thank you, Mr. Chairman.  
13 BY REPRESENTATIVE SCHULER:

14 Q Commissioner Baer, welcome to our hearing.

15 A Thank you.

16 Q The only question I have, back last year I believe  
17 there was a resolution, House Resolution 36, special commission  
18 on boxing and you were chairman, I believe?

19 A Yes, sir, I was. I was appointed by Mr. Irvis.

20 Q What I would like to know, some of your  
21 recommendations that came out of that commission, are you  
22 going to make any of those recommendations to boxing or to the  
23 Athletic Commission?

24 CHAIRMAN OLIVER: Representative Schuler, will  
25 you speak into your mike?

1 REPRESENTATIVE SCHULER: Yes.

2 MR. BAER: Yes, sir. I think it was very necessary,  
3 I think Representative Irvis saw the need for safety in boxing.  
4 So, he established this committee made up of members of the  
5 House of Representatives. There were some referees on this  
6 committee. Larry Holmes was on it and I had the honor of  
7 serving on it.

8 I think what we did is we looked at boxing in the  
9 state of Pennsylvania. We had people come down from New York  
10 and New Jersey and talk about their boxing programs to find  
11 out how they were regulated. Then we found out that  
12 Pennsylvania is just about this far (indicating) from possibly  
13 having the safest State Athletic Commission Safety Code within  
14 the country. So, I am very pleased with the code. I think  
15 the representatives in the years past have done a good job in  
16 establishing a safety code. It needs a little buildup, but I  
17 think we can do that. I think the Medical Advisory Board that  
18 Mr. Binns referred to is certainly going to be very helpful  
19 and I think with your help I think we can get the job done.

20 BY REPRESENTATIVE SCHULER:

21 Q With respect to the resolution and your findings,  
22 was there anything out of that that you feel should be  
23 incorporated into the regulations at the present time on  
24 boxing?

25 A I think all of the matters, the use, they're talking

1 about the head gear and changing of the head gear, all of this  
2 stuff is going to take study before we can make any definite  
3 recommendations to the committee.

4 Q What recommendations did this committee come up  
5 with? I don't mean to put you on the spot.

6 A The committee has not come up with any  
7 recommendations at this particular time.

8 Q Is this still an active committee?

9 A No. It is an inactive committee but all the  
10 material is being compiled to find out what is taking place  
11 and what is going to be presented to you.

12 Q When did this committee cease functioning?

13 A It ceased functioning in September or October of  
14 1986.

15 Q Nothing has been put together yet to help us maybe  
16 making some recommendations to this?

17 A Nothing has been presented in a form whereas you  
18 could make any changes in the safety code. There are  
19 recommendations; the Medical Advisory Board, the computer,  
20 things like that, that this came out of there which I think  
21 were then implemented by the Secretary of State.

22 Q In other words, the Medical Advisory Board  
23 originated with this committee? In other words, it was your  
24 recommendation that that be set up?

25 A That is correct, with Mr. Binns and the commission

1 before me that you heard testimony to.

2 Q Is there anything else in your estimation that  
3 should be incorporated into --

4 A As I said, the safety code for the state of  
5 Pennsylvania, in my opinion, is just about that close  
6 (indicating) from being number one in the country. The area  
7 that I am looking at is the area of the examinations that the  
8 Chairman has referred to, the medical examinations for the  
9 fighters, things of this nature. These were all matters  
10 we discussed very thoroughly and money was the bottom line.

11 Q Is that your major responsibility on the commission?

12 A No, sir. I am a commissioner and I run the --

13 Q You do everything?

14 A Yes, sir, in western Pennsylvania.

15 Q I just wanted to clarify that. Do you have any  
16 personal recommendations to make to this Committee?

17 A I just came out of a medical symposium in New York  
18 as representative of the commission. New York, I guess, is one  
19 of the most progressive commissions in the country and they  
20 agreed with what our law says and I agree with this also.  
21 That is the two most important people and insurance for the  
22 safety of the fighters. That's the bottom line with me being  
23 an ex-fighter. Safety of the fighters is so important. The  
24 two most important people to that are the referee. And the  
25 second person is the ringside physician. These two people with



1 proper training, and being under the supervision of this  
2 commission, have the power to insure for the safety of those  
3 fighters. And in this way does two things. It doesn't only  
4 make the fighter fight safe and the fighter safer, it also  
5 insures for any liability against the Commonwealth of  
6 Pennsylvania. I think as commissioners that is our  
7 responsibility. We insulate the state from being sued for  
8 negligent acts by the fighters, second, the managers or  
9 whomever it may be.

10 REPRESENTATIVE SCHULER: Thank you, Mr. Chairman.  
11 Thank you, Commissioner Baer.

12 CHAIRMAN OLIVER: Representative Miller.

13 REPRESENTATIVE MILLER: Thank you, Chairman Oliver.

14 BY REPRESENTATIVE MILLER:

15 Q If the Commissioner would be kind enough to give us  
16 a target date on when that resolution report is going to  
17 be available, it might be helpful to us with respect to our  
18 drafting requirements.

19 A I will make contact with the chairman of our  
20 committee today and I will find out and get back to you people  
21 and let you know what it will be. I am not sure what they  
22 plan in that area, sir.

23 Q I will tell you candidly, sir, we intend to sit  
24 down within the weeks coming for an initial draft. If you  
25 wish to have any significant import included as a result of

1 your report, it ought to come to us in the near future.

2 A We will make sure it is in your office at your  
3 earliest convenience.

4 REPRESENTATIVE MILLER: Thank you, Mr. Chairman.

5 CHAIRMAN OLIVER: Are there any other questions?

6 (No response.)

7 CHAIRMAN OLIVER: If not, thank you for appearing.

8 The next scheduled person to speak, to testify  
9 rather, will be Linda McMahon, Executive Vice-president of  
10 Titan Sports with Rick Santorum, Esquire, and Jack Krill,  
11 Esquire. You may proceed.

12 MS. MCMAHON: Good morning. Knowing how boring it  
13 is to sit and listen while someone reads through testimony, I  
14 ask your indulgence while I attempt to do just that. It isn't  
15 very long. I think it just pretty much gives you a little idea  
16 where we are coming from.

17 CHAIRMAN OLIVER: Would you turn the microphone on?

18 MS. MCMAHON: My children wouldn't think I needed  
19 this to be heard. I will read through this testimony for you.  
20 I have already introduced myself. I am Linda McMahon. I am  
21 representing Titan Sports, Inc., the corporate entity behind  
22 the World Wrestling Federation. With me are my attorneys,  
23 Jack Krill and Rick Santorum of the law firm of Kirkpatrick  
24 and Lockhart in Harrisburg, and Bob Marella, an agent for  
25 Titan Sports, better known to all of you as Gorilla Monsoon,

1 former WWF wrestler and current TV commentator.

2 I am here to share with you some insight on the  
3 world of professional wrestling and how it fits, or perhaps  
4 how it doesn't fit, in the regulatory scheme of the  
5 Pennsylvania State Athletic Commission.

6 I would like to give you some background about the  
7 company that I represent. Titan Sports, Inc., although not  
8 always known by that name, is a third generation, family-owned  
9 business in operation since the early '20's. The present owner  
10 and president of Titan Sports is my husband, Vince McMahon, who  
11 has succeeded both his father and grandfather in this industry.  
12 I am the Executive Vice-president of Titan Sports, Inc. and have  
13 been actively involved since 1972. Titan Sports is an  
14 entertainment company and our primary product is professional  
15 wrestling. It is important to understand that we organize all  
16 aspects of our professional wrestling exhibitions, from booking  
17 the arenas, booking the talent, promoting the matches, executing  
18 the event and coordinating all facets of our television  
19 production. We are a fully integrated company, and all the  
20 work is done in-house. We sponsored over 7500 events in 1986  
21 in the continental United States in such major arenas as  
22 Madison Square Garden, the Philadelphia Spectrum and the  
23 Pittsburgh Civil Arena as well as the Hershey Park Arena and  
24 the Johnstown War Memorial. In 1986 we sponsored 77 events in  
25 Pennsylvania which were attended by over 400,000 people These

1 77 events generated, as a result of the five percent license  
2 tax, over \$194,000 for the Commonwealth of Pennsylvania. What  
3 is not part of your notes, gentlemen, that in addition we paid  
4 \$44,000 for State Athletic Commission officials, license and  
5 permits. And above the taxes and fees charged as a result of  
6 the State Athletic Commission, we also paid over \$275,000 in  
7 other municipal permits, licenses and fees for a total off of  
8 our gross of about 13 percent that we paid to the Commonwealth  
9 of Pennsylvania.

10 We attract these large numbers of people because we  
11 provide quality, family entertainment for all age groups and  
12 for people from all walks of life. Unlike professional boxers,  
13 professional wrestlers are not competing in contests where  
14 points are scored, and the winner determined, by potentially  
15 injurious blows struck at an opponent. Instead, like the  
16 skilled athletes you see in the circus or the Harlem  
17 Globetrotters, our athletes are well-conditioned professionals  
18 who are the best at what they do. And what they do is  
19 entertain people. I am pleased that the Legislative Budget  
20 and Finance Committee, in its Sunset Audit of the Commission,  
21 recognized these basic facts, because they should lead to  
22 major changes in Pennsylvania's way of regulating wrestling  
23 events.

24 As the Sunset Audit found, many of the State  
25 Athletic Commission's statutory provisions and regulations are

1 antiquated and either not enforced or enforced arbitrarily.  
2 More importantly, these regulations require a considerable  
3 expenditure of the Athletic Commission's time and state funds,  
4 even though no need for these services has ever been  
5 demonstrated with respect to professional wrestling. The law,  
6 for example, presently requires that a Commission employee be  
7 in attendance at every wrestling exhibition. To comprehend  
8 the absurdity of this requirement you need only to compare  
9 this level of enforcement with other state-regulated activities  
10 in which the Commonwealth has very strong safety and health  
11 reasons to require strict enforcement. For example, does the  
12 LCB assign an agent to every tavern? Does the Game Commission  
13 assign a game warden to every hunter? To such questions, the  
14 answer is obviously no, and these are areas where real dangers  
15 exist to society. There is no such danger in wrestling and no  
16 Commission enforcement is necessary. There are many more  
17 examples of useless and even counterproductive Commission  
18 regulations that I could give.

19           The audit performed by the Legislative Budget and  
20 Finance Committee recognized the need for a different approach  
21 by the Commonwealth to professional wrestling. Page 37 of the  
22 report says "Many of these (existing) statutory and regulatory  
23 requirements are unrealistic, and major revisions in the  
24 regulatory environment for these activities are necessary."  
25 The audit also recognized that the State Athletic Commission

1 has been generally ineffective in administering its regulations,  
2 such as they are.

3 We completely agree with the basic findings of the  
4 Sunset Audit. It is time for major changes in the operation of  
5 the State Athletic Commission. We believe, however, that you  
6 should go farther than the recommendations made by the staff of  
7 the Legislative Budget and Finance Committee, and completely  
8 deregulate professional wrestling.

9 There are at least 21 states which do not regulate  
10 professional wrestling and, of those, several states have  
11 deregulated professional wrestling within the last five years,  
12 including such states as Connecticut and Delaware. In  
13 addition, the neighboring states of West Virginia and Ohio do  
14 not regulate professional wrestling, the regulations are much  
15 more limited than the Pennsylvania scheme. The other states  
16 appear to be more concerned with effectively taxing  
17 professional wrestling as opposed to regulating its activity.

18 The Sunset Audit fails to demonstrate any real need  
19 for the Commission to continue to license and oversee wrestling  
20 events. Improving the operation of the Commission would add  
21 nothing to the many precautions that we already take, as  
22 concerned citizens and as prudent business persons, to protect  
23 the health and safety of our athletes and our patrons.

24 I cannot emphasize enough that the safety of our  
25 fans and our wrestlers is of paramount importance to us.

1 Nothing is more important than safety. Our biggest investment  
2 is in our wrestling talent. I don't think I have to tell you  
3 how much prestige and money it would cost Titan Sports if Hulk  
4 Hogan or Andre the Giant or any number of our wrestlers were  
5 seriously injured and unable to perform.

6 Let me assure you that we do everything in our  
7 power to insure safety. Our wrestlers are professional  
8 athletes who are required to train daily to maintain optimal  
9 physical fitness thereby reducing the risk of injury. Our  
10 wrestling rings are specially constructed under our supervision  
11 and are inspected on a nightly basis. Our highly trained  
12 crews transport, erect and maintain the rings. Spare parts are  
13 carried on our trucks. Nothing is left to chance.

14 While wrestling is undeniably a very physical form  
15 of entertainment, we have never had a fatality in the over 67  
16 years we have been promoting professional wrestling. The  
17 safety of professional wrestling was also recognized on page 13  
18 of the Sunset Audit, "Neither the Commission's Executive  
19 Secretary nor a major wrestling promoter with whom the auditors  
20 spoke knew of any deaths or serious injuries having occurred  
21 during a professional wrestling match." As additional safety  
22 precautions, we always have an ambulance on call or on the  
23 premises as well as a physician in attendance. All of our  
24 wrestlers have routine physical examinations. We take these  
25 precautions even in states that have deregulated or have no

1 regulations for professional wrestling.

2           Our concern for safety, however, does not end with  
3 the protection of our wrestlers. We recognize that if a fan  
4 has a bad experience at a wrestling match, not only could it  
5 cause us legal problems and the loss of that fan's patronage,  
6 but it will ultimately reflect badly upon our reputation for  
7 safe, quality entertainment. Crowd control is handled in  
8 conjunction with the various arenas in which we appear, the  
9 same as any concert or promotion. I can assure you that public  
10 arenas or school gymnasiums don't want unruly, destructive  
11 crowds any more than the Commonwealth. If, however, we feel  
12 that a particular arena is not staffing enough security, we  
13 will employ extra security at our own expense. We have not had  
14 any crowd control problems as a result of either unruly fans or  
15 an oversold arena in Pennsylvania. And I might add,  
16 gentlemen, nor in any other state. Of course, for the mutual  
17 protection of ourselves and our fans we have a substantial  
18 amount of liability insurance coverage for each and every  
19 event that we sponsor.

20           The Sunset Audit questioned the feasibility of  
21 deregulating professional wrestling in the absence of a league,  
22 as in football or basketball, that would provide  
23 self-regulation. In response, I would simply say that the  
24 Harlem Globetrotters, the Ice Capades and the circus do not  
25 belong to a league but they are not regulated. In those



1 activities the legislature has implicitly recognized the high  
2 level of skill of the performers and the efforts made by these  
3 organizations to insure their performers' safety. We seek the  
4 same recognition today.

5 There is much more that I could say in support of  
6 our proposal, but there is not enough time for it today. Jack  
7 and Rick will be available to work with you and your staff in  
8 the future, and will provide you with any additional information  
9 you need. Thank you for the opportunity to speak with you.  
10 I'll be happy to answer any questions you may have.

11 CHAIRMAN OLIVER: Thank you very much.

12 MR. KRILL: Mr. Chairman, excuse me. We have also  
13 provided to the Committee a summary of state regulations of  
14 professional wrestling. That should appear as an exhibit to  
15 the testimony.

16 BY CHAIRMAN OLIVER:

17 Q You speak of your concern for the welfare of your  
18 athletes. In fact, you have a physician as well as an  
19 ambulance available. How do you feel about these wrestlers  
20 cutting themselves with razors? Do you have someone there to  
21 stitch them up or do they require any stitches? How do you  
22 feel about that?

23 A I might add that I am aware there are past  
24 practices of that happening. I can assure you within the  
25 World Wrestling Federation it is not permitted or condoned.

1 Q It is not permitted?

2 A Nor condoned. And we have never offered more money  
3 to a wrestler for cutting himself nor would we ever do that.

4 CHAIRMAN OLIVER: Any other questions?  
5 Representative Miller.

6 REPRESENTATIVE MILLER: Thank you, Mr. Chairman.

7 BY REPRESENTATIVE MILLER:

8 Q Welcome before our Committee, Mrs. McMahon.

9 A Thank you for letting me speak.

10 Q Our pleasure. Could you give the Committee a brief  
11 overview of the industry you are in from an economic  
12 perspective? Obviously, the World Federation's success, i.e.,  
13 Titan's success particularly in the past five or six years is  
14 certainly commendable from a business aspect. You have  
15 excellent marketing people, excellent promotion people. You are  
16 obviously popular with the public. Certainly it is economically  
17 successful. The question I am getting to is one I would really  
18 like you to phrase for me. What is your competition all about?  
19 I asked that question because you outline your interest in  
20 safety in the business and you can really only speak for your  
21 business. Your interest in providing liability protection,  
22 arena security. I wonder if you might comment from your  
23 knowledge on what your competition is doing. Obviously, there  
24 are business folks out there who see your success who want to  
25 spin off on it. Offer a similar product to maybe cutting those

1 very corners that you suggest that your particular business is  
2 very strong on, particularly the safety questions and the  
3 appropriate taxpaying questions.

4       A     I guess if I had to sum it up, I can't really  
5 speak to what other organizations do. I am not privy to their  
6 policies and procedures. I guess the way to address that is  
7 that we believe we have set a standard within the industry.  
8 The public is accustomed to that standard. It is, you have a  
9 choice of watching the NFL football game or you want to watch  
10 the USFL. The USFL didn't succeed very long. The marketplace,  
11 in our public, believe it or not, is quite sophisticated in  
12 what they do like and what they don't like. We have a greater  
13 interaction with our fans at our events and they look for  
14 quality talent. Basically what is necessary to have a  
15 successful operation is no different in wrestling than any  
16 other. If you want your wrestling stars to be recognized, you  
17 have to have a forum to present them to the public. Our forum  
18 is our television show.

19               Our competitors are certainly trying to produce  
20 their shows and get on television stations so that their  
21 talent can be presented to the public. I must tell you that  
22 while there are a couple of other organizations that are making  
23 good progress and are healthy competitors, which we welcome,  
24 there is still a wide gap. What we hope is that by setting a  
25 standard which others have to come up to, we will improve

1 the quality of everything that is going on within our industry.  
2 It is certainly not something that can happen within a short  
3 term. Quite frankly, I hope they don't have great success.  
4 But I would certainly say that we are competing in an open  
5 marketplace and we are establishing a standard that other  
6 organizations have to live up to. That follows through in our  
7 television show. That follows through in our publications  
8 that we publish in-house that cross our talents. We have  
9 upgraded those publications in general though they still have  
10 a long ways to go. There is certainly, I think, a marketplace  
11 reaction to some of the other smaller outfits who are not coming  
12 through with quality. It really has nothing to do with size.  
13 If a small company comes in, and we certainly have been small  
14 and we operated as a small company, but if your goal is always  
15 to produce quality in family entertainment, then you have a  
16 measure of success or at least everything you do you feel like  
17 producing quality.

18 I think every competitor has to be aware whether  
19 they come into a local high school to produce an event, whether  
20 they go into the Civic Arena, the Pittsburgh Civic Arena, or  
21 the Philadelphia Spectrum, that your public must be protected  
22 and they must be entertained. No police commissioner, no  
23 municipality that has to issue a license or a permit for a  
24 public gathering or any sort of performance, is going to allow  
25 those kinds of practices to continue. We certainly protect

1 ourselves with liability insurance because things do happen.  
2 Unfortunately, if a fan slips on a banana peel at the  
3 Philadelphia Spectrum and hits his head, our insurance pays for  
4 that. Whether or not it is a result of poor maintenance on the  
5 part of the Spectrum or whatever. We cannot afford not to  
6 insure safety nor can any other organization that is dealing  
7 with the public. You simply cannot afford it or you will be  
8 out of business.

9 Q Thank you. Just two brief follow-up questions.  
10 While you certainly present to the Committee very persuasive  
11 testimony from what the Committee appreciates as an established  
12 business in the industry, one with reasonably good credentials,  
13 there is a choice of argument for deregulation. I still have  
14 the reservation of the difference in the wide gap, as you call  
15 it, if we deregulate for your purposes. We are also  
16 deregulating the other promoters who perhaps may be exploiting  
17 their professionals and indeed indirectly exploiting the public  
18 by whipping up too much hysteria in the arena, i.e., fire and  
19 panic act problems in a crowded arena. Is there a way we can  
20 differentiate among the businesses in the business of  
21 exhibition wrestling and perhaps regulate those that have  
22 problems and permit those that do not to be self-regulated?  
23 Is there any suggestion in that that indeed you can make to  
24 the Committee? We don't have a great deal of alternative if  
25 indeed you have that kind of operations causing problems. The

1 legislature will indeed look at regulations recognizing you,  
2 as a responsible business entity paying your taxes, paying atten-  
3 tion to the health, safety are also paying the price of that regulation.

4       A     I guess really the only way I can respond to that  
5 is saying that I am not sure there is no need for regulation.  
6 I'm only saying that I think regulations exist in other forms  
7 and that there is double regulation going on in many instances.  
8 I believe if a small promoter or a promoter that is not as well  
9 recognized is coming into a particular town, I don't know of an  
10 instance where you don't have to have at least the permit or  
11 if you are going into a high school or whatever, you have to  
12 provide proper liability insurance and assure the superintendent  
13 of the board of education that you are providing proper  
14 police and if the police are involved, the fire marshall is  
15 involved, all of those different entities. I mean, if fights  
16 break out in a crowd, that can be a civil disobedience  
17 resulting in criminal charges that can be filed against those  
18 people. I think that certainly anytime there is any kind of  
19 a performance of that nature, the local police department  
20 should definitely be involved in assigning security and helping  
21 to regulate those performances. There are certainly adequate  
22 measures available now under our civil services that should  
23 provide regulations for a lot of those different entities.  
24 I guess I just feel that regulations are already in effect.  
25 We don't need the regulations of the State Athletic Commission,

1 which quite frankly, I must say in general instances, we  
2 certainly have a better knowledge of what it takes to control  
3 a crowd than what a State Athletic Commission official who has  
4 never had the responsibility of putting on an exhibition, of  
5 maintaining crowd control. It is our own policy, the policies  
6 of most arenas that we are in to evict any kind of disturbance.  
7 If people come in who are going to be throwing things in the  
8 ring, they are immediately evicted by the building security or  
9 the arena. No facility, no municipality, no state can afford  
10 to have those kinds of practices going on and I don't think  
11 that they can be regulated by the State Athletic Commission.  
12 We are fully in agreement that those practices should not  
13 happen. It is just that the proper agency should handle it.

14 Q I think that is a very salient point you make and  
15 I want to share with my Committee members that once the State  
16 Athletic Commission has issued the proper fees, licenses, et  
17 cetera and an exhibition begins, it becomes your responsibility  
18 as the promoter with respect to the liability, et cetera. The  
19 Commonwealth does not share any liability in that. It has been  
20 a strong argument for deregulation.

21 One final question, and that is, as we sit down in  
22 our research product to develop regulations, with your permission  
23 we would appreciate the flexibility to call on your counsel  
24 with respect to the insurance question and if we might call on  
25 in the future for advice, Mr. Krill, on the types of liability

1 insurance you buy which you feel is necessary in the industry.  
2 We would find that information very helpful in addressing the  
3 insurance liability question with respect to exhibition. We  
4 aren't experts in that subject matter and we would need some  
5 assistance.

6 A Could I just let you know right now, peripherally,  
7 there are many of the arenas in which we play that carry their  
8 own insurance requirements. Whether they have been mandated  
9 by municipality, if they are in fact municipal arenas or  
10 whether or not whether for their own protection realized what  
11 the coverage must be in order for them to exist?

12 We carry no less than a million dollars coverage  
13 for every event and we have an umbrella which will go up to  
14 three million dollars for liability. There are some instances  
15 where you need to exceed that. When we had Wrestlemania at  
16 Pontiac Silver Dome, we went up to five million dollars in  
17 liability insurance. So, those are just general parameters.

18 REPRESENTATIVE MILLER: Thank you for joining us.  
19 We appreciate your assistance. Thank you, Mr. Chairman.

20 CHAIRMAN OLIVER: Representative Battisto.

21 REPRESENTATIVE BATTISTO: Thank you, Mr. Chairman.

22 BY REPRESENTATIVE BATTISTO:

23 Q I would like to commend you on your articulate  
24 presentation. Let me just begin by saying this. How does the  
25 regulation of professional wrestling interfere with your



1 operation or how does it bother you?

2 A I almost hate to get into answering that question.

3 Q But I would like you to.

4 A Only because it looks as though we are taking sides  
5 and throwing stones. Before I answer that question, I would  
6 like to first say that Commissioner Binns and his commissioners,  
7 I think, have done a job what they believe was in the best  
8 interest of the public. I just think there are instances where  
9 professional wrestling, not being considered a sport, should  
10 not be under this regulation.

11 Having said that, there have been instances where our  
12 wrestlers have been fined for perhaps not being examined  
13 before going into the ring when in fact the examination was  
14 checking their pulses, listening to their heart or looking at  
15 their eyes.

16 We have had instances where commissioners have  
17 threatened to close our event because we wouldn't set up tables  
18 at ringside and put white tablecloths on them so that members  
19 of the family or other press media could sit at ringside.  
20 That is a dangerous spot to sit at our event. And I have been  
21 flatly told the event would be closed down if that didn't  
22 happen.

23 We have had instances where some of our wrestlers  
24 were fined or suspended and we would receive a suspension  
25 notice for Hulk Hogan or a couple of our top stars that would

1 be in effect two days before our event in the Philadelphia  
2 Spectrum in which all our advertising were in place. We have  
3 had instances where the commissioners come in and stated that  
4 because of the ring setup, the ring setup wasn't proper, they  
5 weren't going to allow the event to go on. There are a lot of  
6 picayune things, if you are in an arena and you are trying to  
7 present your program, they are really not things that affect  
8 the public safety or they affect the safety of the wrestlers.  
9 There are those instances which it is simply a hassle to have  
10 to deal with them. If you have a commissioner who has the  
11 authority to close down your event, and mind you, if you want  
12 a riot on your hands, walk out and say your event has been  
13 cancelled. That is when instances of public safety can really  
14 become a big argument.

15           So, there are times when just to get our event in  
16 process, there are rules and regulations, in order to have our  
17 event sanctioned, we have to notify the State Athletic  
18 Commission anytime we book an event. So that they have a  
19 list of the dates and times so that they can supply the public  
20 officials that are necessary. We won't get sanctioning  
21 notices. We won't even know if our event can go on. We always  
22 assume that it can and it hasn't been stopped because we  
23 haven't gotten a sanctioning notice. It is always dangling  
24 out there.

25           I think the one other thing that is really almost

1 more important to our event itself, our event comes as a  
2 package. We have our announcers, we have our referees, we  
3 have our timekeepers. We have everything that is necessary  
4 for our event. For the state to appoint to our form of  
5 entertainment an announcer who cannot pronounce the names of  
6 our wrestlers or a referee who is not necessarily part of our  
7 event and may not act accordingly in the ring for our  
8 particular kind of performance, a timekeeper who, I don't know  
9 why we have to have him and pay him anyway. That is 40 to \$50  
10 every night just for a timekeeper. Those are the things that  
11 are really impediments to our performance.

12 Q I won't pounce upon white tablecloths but I will  
13 the way a ring is set up. You did say you think the Commission  
14 is sincere in doing what they think they are doing with  
15 respect to safety. With respect to the way the ring is set up,  
16 the Commission must have standards, I guess. From the  
17 standpoint of safety, my son was a high school and college  
18 wrestler so he wasn't even backed up with ropes and so forth.  
19 I've seen them, but I don't understand all the intimacies in  
20 setting up a ring. But you obviously think that your ring is  
21 set up safely, but the Commission has certain standards, I  
22 guess, as far as elasticity of the ropes maybe or whatever it  
23 might be?

24 A No, that is not really the question. It is really  
25 the Commissioners being able to sit inside our barricade. Our

1 wrestlers come out over the top rope. You know, there is  
2 activity which they are flung out the ring over the top rope.  
3 We set up a barricade around the ring so that no one is  
4 allowed inside that inner area. There have been instances  
5 when it is mandated that the physician must sit inside, the  
6 Commissioners must sit inside there ostensibly to better view  
7 the performance. Well, it is really the best seat in the house  
8 for viewing. But it is not a safe place to be. So, we have  
9 objected to that.

10           There have been instances when shooting our  
11 television show when we have asked not to have anyone within a  
12 certain are because it absolutely, you know, it is a  
13 detriment to the program which we were presenting and it served  
14 no purpose. That is what I am saying. If it served a purpose.  
15 Judges in a boxing match have to sit, and I have been on  
16 promotions of boxing matches, judges have to sit at a certain  
17 height. They have to be able to look into the ring. They have  
18 to be able to watch the boxers who are in there, to watch for  
19 their eyes, to do all kinds of things relative to their safety.  
20 It is just not necessary in a professional wrestling match.

21           Our rings, to further answer that question, are  
22 designed by an engineer. They are inspected every night as  
23 they are constructed. They are just the best available. The  
24 suspension, the plywood that goes underneath, everything and  
25 we carry everything spare to fix it on the spot.

1 Q Thank you. I take it that you are one of the  
2 largest maybe promoters of professional wrestling in the  
3 country. 7000 some events is no small operation.

4 A No, we are the largest.

5 Q You are the largest. You promoted the event in  
6 Pontiac, Michigan?

7 A Yes.

8 Q You say you mostly, you mostly promote wrestling.  
9 What other kinds of things do you promote?

10 A Well, quite frankly, now we are only promoting  
11 professional wrestling. But we do other things in conjunction  
12 with that, like produce a record album.

13 Q I'm sort of inferring that maybe most of your  
14 promotions are in states which wrestling is deregulated. The  
15 reason why I'm inferring that is you said last year you  
16 promoted 7500<sup>events</sup>/and 77 in Pennsylvania. You don't have to be  
17 a genius to figure that is about one percent in one of the  
18 largest states in the country. Am I correct in inferring that  
19 probably you promote more events in states that do not regulate  
20 at present?

21 A We certainly promote all over the United States.  
22 What is currently happening now is that because of our  
23 organization, cities and states are really competing for our  
24 events insofar as our own scheduling goes. When we have to  
25 schedule an event that is going to be in Pennsylvania, we have

1 to schedule an event that is going to be in Ohio, and the event  
2 that has the potential for making the most money, and the event  
3 certainly is not going to be regulated by an outside commission,  
4 it is a business choice to have the event take place in Ohio.

5 Q You have answered my question. How about  
6 Michigan, does Michigan have --

7 A Michigan does have a state athletic commission but  
8 the regulations are far less.

9 Q You said in your testimony that the regulations in  
10 other states tend to be directed more in the area of revenue  
11 collecting and not so much the activity itself.

12 A That is correct. Just recently, in the past two  
13 years, deregulated in the state of Connecticut. They did,  
14 however, maintain their taxing provisions.

15 Q Now, you do say, and, of course, the Commissioner  
16 indicated, too. I don't think anyone is trying to fool  
17 anyone here. The fact that you do present an exhibition, it's  
18 entertainment. My son would make a clear distinction between  
19 the two kinds. That is not in any way to cast any aspersions  
20 at all. They are two different things.

21 You did compare yourself perhaps to the Harlem  
22 Globetrotters and the Ice Capades, some other activities like  
23 that. I think we will have to admit there is less contact in  
24 those kinds of activities. However, you are saying in  
25 essence that they are exhibitions and there are no leagues for

1 Ice Capades or for the Harlem Globetrotters. There is no  
2 wrestling, no professional wrestling league, therefore, you  
3 can take care of regulating your own activities. If we want  
4 to collect revenue, so be it. But you can regulate your  
5 activity and that is in essence what you are saying?

6 A Yes.

7 REPRESENTATIVE BATTISTO: Thank you. Thank you,  
8 Mr. Chairman.

9 CHAIRMAN OLIVER: Representative Linton.

10 REPRESENTATIVE LINTON: Thank you very much, Mr.  
11 Chairman.

12 BY REPRESENTATIVE LINTON:

13 Q A couple of questions I want to ask and I am glad  
14 I have a chance to ask them. One relating to, I hope I'm not  
15 being redundant since I was away from the Committee for a  
16 moment, a question of referees. What functions do referees  
17 serve in a wrestling match?

18 A As part of our performance?

19 Q Yes.

20 A Referees are there to, first of all, in a  
21 wrestling event, certainly we have established that part of  
22 the performance of our event is the establishment of certain  
23 rules. A winner is announced by a pin or disqualification,  
24 et cetera, et cetera, where the wrestlers, obviously, could not  
25 announce that themselves. There must be some regulatory person

1 in the ring to make those announcements and assess the winner.  
2 It is part of our event.

3 Q And that's the function that the referee serves?

4 A Yes.

5 Q Is the referee also the announcer?

6 A No, not in our event.

7 Q Who provides the referee?

8 A In this state?

9 Q Yes.

10 A The state supplies the referee.

11 Q Does that referee, there is no points involved in  
12 terms of -- so, for instance, in boxing the referee is  
13 separating two combatants. He is providing the points, some  
14 ruling in that, making sure that the regulations are being  
15 prescribed to according to the match. Those kinds of things  
16 aren't required or responsible to the referee in a wrestling match?

17 A Not from a technical point of proclaiming the  
18 winner of the match, no.

19 Q So, in that respect, in other states you provide  
20 your own referee?

21 A Yes.

22 Q Pennsylvania, the State Athletic Commission  
23 provides the referee?

24 A (Nod of the head.)

25 Q At what cost to you?



1           A     I think that in the Audit Report -- no, those are  
2     licensing fees, I think that a referee is between 75 and \$120  
3     and I would have to look, somewhere in that range.

4           Q     How about announcers?

5           A     Same. They are all run about the same.

6           Q     You also have announcers that you have to get from  
7     the State Athletic Commission?

8           A     And a timekeeper.

9           Q     What function does the announcer perform?

10          A     His function is supposedly to get in the ring, to  
11     announce the matches, the combatants who are going to be there,  
12     our performers. And if any time during the evening we have,  
13     you know, we would like them to announce the upcoming match or  
14     if the Spectrum has anything they want to announce during our  
15     matches, that is his function.

16          Q     Is that something you do yourself in other states?

17          A     Yes.

18          Q     The timekeeper, you also get from the State  
19     Athletic Commission?

20          A     Yes.

21          Q     This is not an official event to the point that  
22     there would be violations where one combatant would win the  
23     event over the other if there was some problems with time not  
24     being kept properly?

25          A     No.

1 Q What function does the timekeeper have -- I mean,  
2 it seems to me that the announcer could be the timekeeper in  
3 essence in terms of function?

4 A In part of what we do, it is part of the scenario  
5 what goes on. If an announcer wants to come back and say the  
6 winner in one fall in five minutes and 25 minutes and 25  
7 seconds is Hulk Hogan. It is part of what is going on.

8 Q What I am saying, from a technical point of view,  
9 from a point of regulation of an athletic event where you may  
10 need a professional timekeeper is someone who will have the  
11 official time because that event involves two combatants.

12 A Not necessary.

13 Q That's not necessary?

14 A No.

15 Q In regards to a referee where you don't have the  
16 kind of officiating that is necessary in an event where you  
17 have two combatants where there is purses involved between  
18 those two combatants, the referee is not necessary?

19 A No.

20 Q In regards to an announcer who is basically the  
21 ceremonial person which we have at theaters and other kind of  
22 events which could be somebody else that is on your own  
23 payroll, that is not necessary?

24 A Not necessary.

25 Q I'm just trying to draw, for members of the

1 Committee, trying to figure out what aspects of our regulatory  
2 process and what we are in fact requiring people to pay for  
3 that is in fact may not be necessary. I think that is something  
4 that the Committee would have to look into, but I think that is  
5 in fact an issue and a concern of mine.

6 You are the largest association or promotional  
7 organization of wrestlers. What are your other competitors?  
8 Even though you don't compete directly, what are the other  
9 people who are in the marketplace outside of Titan?

10 A Do you mean organizational names?

11 Q Yes.

12 A There is a gentleman by the name of Jim Crockett  
13 who is based in Charlotte, North Carolina. He does promote,  
14 I think, under Jim Crockett Promotions or it could be NWA in  
15 the state of Pennsylvania. The AWA, which is a mid west  
16 organization, I believe, has brought some matches to  
17 Pennsylvania. Other than a few individual promoters, those  
18 are the only ones that I know of and I don't know the names of  
19 individual promoters.

20 Q All those operations are in fact self-contained in  
21 that you don't compete against one another like leagues, but  
22 they have their own internal organizations?

23 A That is right.

24 Q That performs their performances and controls all  
25 of their performances?

A Yes.

1           Q     Your liability insurance, you made reference to  
2 the fact that you do carry liability insurance that covers  
3 both the wrestlers and also the observers or those who are in  
4 attendance, an audience?

5           A     Our liability insurance does not cover a wrestler  
6 if he is injured in the ring. Our liability insurance covers  
7 a wrestler if he is injured on the way to the ring or a part of  
8 the general liability coverage at the arena that would be provided.  
9 So that all of our patrons, a wrestler, is covered under any of those  
10 circumstances that would treat him as a patron at the facility.  
11 If he slipped in the locker room or taking a shower, you know,  
12 if any of those kind of things happened. His actual  
13 performance in the ring is not covered by our liability  
14 insurance.

15          Q     You made reference in your remarks of physical  
16 examinations that you require annually.

17          A     Yes.

18          Q     We heard earlier in our testimony that even in the  
19 boxing commission the lack of a thorough physical examination  
20 as required, you do the same type of examination in your  
21 unregulated states as well as those who are regulated?

22          A     That is right. It is part of what we do internally.

23          Q     In the state, I think there was reference to  
24 Michigan, is it, where you had this large --

25          A     Wrestlemania.

1 Q Wrestlemania?

2 A Wrestlemania Three.

3 Q Wrestlemania Three, okay. My daughters would love  
4 that. Wrestlemania Three, what would prohibit you from having  
5 a similar event here in Pennsylvania?

6 A A facility to house that many for that large of a  
7 crowd. We actually have talked to the Philadelphia Spectrum  
8 and the Pittsburgh Civic Arena for Wrestlemania One and  
9 Wrestlemania Two about having our events in this facility.  
10 Certainly it is available. We don't always need an arena that  
11 will house 93,000. That was a spectacular event. Wrestlemania  
12 won't always have that kind of an event and we will use smaller  
13 buildings. The Spectrum on two different occasions was not  
14 available. But the other thing that really was a determining  
15 factor, we had to look at in addition to a five percent tax  
16 that we already pay to the State Athletic Commission, if we  
17 have an event in the state of Pennsylvania and we broadcast it  
18 or cablecast it for television, we are taxed an additional five  
19 percent on top of that for any of the fees that we would  
20 receive for that broadcast. So, it prohibits to a great  
21 extent. I mean, when we can go to another state and have the  
22 same kind of facility, the same kind of support, the same kind  
23 of municipality, it simply becomes a business decision not to  
24 be there.

25 Q Michigan still regulates wrestling, is that

1 correct?

2 A Yes, they do.

3 Q Let me ask you something. In terms of the  
4 referees, the announcers, the timekeepers, what is the  
5 requirement of Michigan? Do you provide your own or do you  
6 also get those?

7 A No, we provide our own.

8 Q Could you also tell me some other things and if  
9 anyone else that you have with you could help with that, could  
10 you also tell me some other areas that are regulated in  
11 Pennsylvania that are not regulated in Michigan, just using  
12 that as an example?

13 A All I can say in terms of Michigan, for instance,  
14 if we go there to have an event, primarily it is a revenue  
15 process that the state is looking to. Do they want an agent  
16 there to collect the tax? There is not a great deal of  
17 regulation that is involved. They did, when Wrestlemania came  
18 to town, we had a lot of commissioners suddenly appear that  
19 we hadn't talked to or heard from before. They have an  
20 overseeing agency. I am not saying there are not some areas  
21 where they want to supply us whatever, but by and large it is  
22 a much more laissez-faire operation in the state of Michigan.  
23 That was a roundabout way of answering your question, but I  
24 really cannot be more specific than that.

25 Q I think in our comparison with some of the

1 information that you provide and also some of the information  
2 from staff, I am sure that we will be able to draw some  
3 comparisons between what we are doing here in Pennsylvania.  
4 v e r s u s total deregulation and where we can go in between.  
5 I think at some point we will begin to look at and assess.  
6 Maybe we are regulating too far or too much. Maybe we should  
7 not be regulating at all. Maybe we should be somewhere in  
8 between. I think that is something that this Committee must  
9 weigh and look at.

10 A I think if I would have one statement, it would be  
11 that, the question was asked me by one of the representatives  
12 and I don't remember which one, your organization is top  
13 flight. How do we regulate smaller people who are coming in?  
14 I guess what I have to say to that is, and I addressed it  
15 briefly, I think the marketplace does some regulating. But  
16 also in those, we now promote in 40 some states, there are  
17 also other promoters who promote around the country. Even if  
18 they are regionals or whatever, the statistics, no injuries,  
19 no deaths, et cetera, et cetera, no crowd control problems,  
20 persist around the country even in those states which are not  
21 regulated. Maybe attention isn't paid to detail like we give  
22 in a lot of areas, but I think the suggestion that our crowds  
23 might be incite to riot or that they could get totally out of  
24 hand were it not for regulating, one regulating official being  
25 there I think is absurd. That certainly is not the case and

1 it doesn't happen in other wrestling performances either. Any  
2 more so than it would in any instance where there aren't  
3 proper police or security people there regulating. Things  
4 might get out of hand when there is a crowd.

5 REPRESENTATIVE LINTON: I am more fearful of going  
6 to a Philadelphia Flyers game or a Boston Garden Celtic-Lakers  
7 game than I probably would be at a Wrestlemania Three, I would  
8 think. No further comments, Mr. Chairman.

9 CHAIRMAN OLIVER: Representative Miller.

10 REPRESENTATIVE MILLER: Thank you for a brief  
11 question, Mr. Chairman.

12 BY REPRESENTATIVE MILLER:

13 Q Ma'am, when you bring your show to Pennsylvania  
14 and you have your block of employees, are you covered, either  
15 your wrestlers or any of your staff, under Pennsylvania  
16 Workmens' Compensation law?

17 A Our wrestlers are independent contractors working  
18 for us. Certainly all of our staff are.

19 Q One quick question on the referee. I have  
20 observed a number of your productions on television and I have  
21 visited them personally. From watching them on television,  
22 many times, frankly, I am amazed at the choreography and the  
23 skills of the wrestlers in the ring, their act, so to speak.  
24 It is well coordinated. They do some fantastic maneuvers  
25 with their body and avoid injury. In part of your planning of



1 the event and the practice of the wrestlers prior to it, in  
2 their training, is part of their training having a company, so  
3 to speak, referee as part of that match to assist with it and  
4 in that regard if we put a referee in cold who is not familiar  
5 with the abilities and the tricks or maneuvers that your  
6 wrestlers do, could that be a detriment to their safety in the  
7 ring? Is there any argument with having your third person,  
8 so to speak, to guarantee your act is able to come off without  
9 undue injury to the participants?

10 A First of all, let me correct one thing you said  
11 in the beginning. Our talents do not rehearse or practice.  
12 These are very trained athletes. They don't practice for an  
13 event at the Philadelphia Spectrum. There is a spontaneity to  
14 what they do. That is attributable to their fantastic  
15 condition that they are in. There are certain moves, there  
16 are certain holds, there are certain practices. But the top  
17 stars are the ones who are the best at their performance and  
18 the charisma that they create with the crowd. Certainly our  
19 trained referees move into any of those situations. It is  
20 just a question of if a football referee is on the field, and  
21 he has been doing it for many years, he knows if a play is  
22 moving to the right, he best be at a position for that charge  
23 that is coming at him. It becomes, too, a sixth sense with  
24 the referees that we have in our organization. It becomes a  
25 skill and it is a skill that is gained though many years of

1 experience in doing it. It can be detrimental to both the  
2 wrestlers and the referee himself if he is not skilled in what  
3 he is doing.

4           There are Commission referees who have been  
5 appointed to our events for many years and they have developed  
6 that same skill. We haven't had a problem working with them.  
7 We object to the fact that they are assigned and we have to pay  
8 for an official that is not necessary to what we do.

9           REPRESENTATIVE MILLER: Thank you.

10          CHAIRMAN OLIVER: Representative Schuler.

11          REPRESENTATIVE SCHULER: Thank you, Mr. Chairman.

12 BY REPRESENTATIVE SCHULER:

13          Q     Mrs. McMahon, you just started to touch on what I  
14 wanted to get to here. I'm trying to draw a comparison between  
15 a professional boxer and a professional wrestler. You started  
16 to talk about training. As far as professional wrestlers goes,  
17 there is no training as such other than what he comes with on  
18 his own or she?

19          A     Oh, no, there is training. Don't misunderstand.  
20 There is training. They physically work out.

21          Q     Lift weights?

22          A     They lift weights, they run, they jog, whatever  
23 kind of aerobic program they want to be on because our  
24 performers are the best trained athletes in the world. There  
25 is no season to what they do. They do it year-round so they

1 must be in peak physical condition. There are training areas  
2 where they can go and have preliminary wrestling matches where  
3 they are taught basic holds. All those kinds of things, yes,  
4 they are trained. My comment earlier was that our matches are  
5 not rehearsed.

6 Q I didn't mean to say that they don't train. I was  
7 more referring to, you know, holds, how to fall properly,  
8 whatever.

9 A Certainly.

10 Q How do you go about recruiting these individuals?  
11 What is the procedure that is used? Do they have a manager  
12 that you go to and make arrangements?

13 A No. Quite often our talents are college athletes.  
14 We have observed different professionals, athletes in other  
15 sports. We have talked to them. Maybe they weren't  
16 first-stringers or whatever but primarily by and large we are  
17 in a comfortable position right now that we can't use all of  
18 the talents who are applying to the World Wrestling Federation.  
19 Actually now we require that they send in a video tape, still  
20 shots of themselves, a resume, wrestling experience if they  
21 have any, photos in different poses of what they do, et cetera.  
22 Why they want to be a professional wrestler. We council them  
23 and talk to them about what a commitment it is as a vocation  
24 to come in. And after several of those sessions, we give them  
25 a tryout. They would go to a training facility or whatever to

1 see if they have the potential to develop the skill. If they  
2 do, we use them in different preliminary matches. Certainly  
3 not on our televised bouts and certainly not in the  
4 Philadelphia Spectrum. We use them in the preliminary matches  
5 to develop their skill and watch their development.

6 Q They apply then to your organization for a position?

7 A Yes.

8 Q And then you sort of somewhat put them on the stage  
9 to see what you can do?

10 A Certainly it is like giving a typing test to a  
11 potential secretarial candidate. If she doesn't have the  
12 skills, you don't need to go any farther.

13 Q It is like an audition?

14 A To a degree. I think more than that it is  
15 qualification rather than an audition to qualify.

16 Q While you're seeing if they have the qualifications  
17 to do what you prefer them to do?

18 A Yes.

19 Q Do any of these professional wrestlers have  
20 managers? Are they their own managers?

21 A They are their own managers.

22 Q They do their own negotiating with your company?

23 A Yes. Some of them are certainly represented by  
24 counsel, but insofar as having a manager, no, we haven't dealt  
25 with managers before.

1 I might add that our talents, even on the lower  
2 to middle part area in the World Wrestling Federation, a  
3 relative newcomer who has proven himself and really starting to  
4 come along can make in the vicinity of \$100,000 a year.

5 Q Now, you say \$100,000 a year, do they sign a  
6 contract for commission or event basis?

7 A They are paid on a per event basis.

8 Q A flat fee?

9 A No, it is usually on a percentage basis.

10 Q Of the gate?

11 A Yes.

12 Q Now, you mentioned also about injuries. Is the  
13 wrestler responsible for injuries that occur in the ring?

14 A To his own body, yes.

15 Q In other words, if he breaks a leg?

16 A Technically he is, by virtue of the fact he is  
17 a private contractor, responsible for maintaining his own  
18 medical, health and liability coverage. In fact, we point them  
19 in the direction of those people to talk to to help them be  
20 sure that they are covered. While it is not written into our  
21 contract, we certainly have an investment in these talents.  
22 But above and beyond that we care about these individuals.  
23 We haven't had an instance where someone was hurt where we  
24 didn't at least help them take care of the situation. We have  
25 had instances, unfortunately, where some of our athletes have

1 been in automobile accidents or those kinds of things. We have  
2 actually had wrestling benefits and donated part of the  
3 proceeds of the show to his family or whatever. So, we have  
4 a very caring arrangement for our talents who are with us.  
5 Even though we certainly treat them as independent contractors  
6 and advise them to have their own medical coverage.

7 Q One more area, I mentioned to the Commissioner in  
8 earlier testimony that would he recommend special rules and  
9 regulations be set up for professional wrestling. Since the  
10 present rules are not being followed or being enforced, should  
11 professional wrestling have its own set of rules? Now, let's  
12 assume we go that route. I'm not saying that we are. What  
13 would be your suggestion? What are some of the things you  
14 think would be acceptable to the professional wrestling  
15 organization such as in the state of Pennsylvania? What type  
16 of regulations would you be satisfied?

17 A I really have to say I don't see the need for any  
18 of those regulations. I really don't see the need for any. I  
19 think if the process continues whereby there is some regulations,  
20 it gives room for it to grow in the future and the State  
21 Athletic Commission certainly has within its purview to adopt  
22 regulations that are not statute and to make changes in those  
23 regulations. Regulations concerning some of the things that  
24 are outdated, not in force now could actually have been changed  
25 by the Athletic Commission as it exists now. I think if it is

1 allowed to continue to regulate, there is always that open door  
2 for implementing policies that 5 years from now I could be saving the  
3 very same thing. These regulations don't apply.

4 Q Maybe I was wrong. I thought at the very beginning  
5 of your testimony, I probably am wrong, I thought you said you  
6 felt we should have some regulations.

7 A I think there are regulations that are necessary  
8 in terms of public safety and they are already in effect by  
9 the police departments and municipalities, et cetera,  
10 et cetera.

11 REPRESENTATIVE SCHULER: Thank you. Thank you,  
12 Mr. Chairman.

13 CHAIRMAN OLIVER: Representative Hughes.

14 REPRESENTATIVE HUGHES: Thank you, Mr. Chairman.

15 BY REPRESENTATIVE HUGHES:

16 Q I will be the first to admit that when I was young  
17 I used to go to the Philadelphia Arena and go to the  
18 wrestling matches --

19 A Have you stopped going?

20 Q I kind of had to grow up and become a politician.

21 (Laughter.)

22 A You're in the biggest arena of all.

23 Q I won't argue with that. One question, you  
24 mentioned something about their never being any serious  
25 injuries during the course of the matches. Maybe this was part

1 of the, this was part of the performance, but I do remember  
2 Bruno Sammartino breaking his neck or something like that  
3 several years ago, Is that true or is it not?

4 A He had a prior injury. It was aggravated in the  
5 ring, yes.

6 Q Most of my concerns directed the wrestlers  
7 themselves and what provisions your organization makes for  
8 them in taking care of them, personal health and safety and  
9 welfare. Do you make any provisions for wrestlers for when  
10 they retire out of the performance, out of the business?

11 A No.

12 Q Do you ever try to look after them?

13 A Not in terms of financially doing that. What we  
14 do is help counsel them in terms of financial planners that  
15 they should talk to. The money that they are earning, if it  
16 is taken care of properly and put aside in proper retirement  
17 accounts, will provide for their future if they are smart  
18 business people. We do counsel them and offer any assistance  
19 that we can to help them do that. We will set them up with  
20 our own accounting firm and we will recommend people for them  
21 to talk to. But it is something they must do on their own.

22 But recognizing that is one of the reasons why we  
23 do pay the fees for their services above and beyond I believe  
24 what any of these people could earn in any other endeavor.

25 That is not necessarily fair for me to say. There



1 is some instances where I doubt that they could. We are happy  
2 to p a y f e e s for their services that will allow them to  
3 have a very comfortable life, and if they are prudent, to set  
4 aside some money to take care of their own needs in the future.

5 Q The average annual salary for one of your wrestlers  
6 is about how much?

7 A 75, to \$100,000.

8 Q And their career expectancy is, how long would  
9 that be?

10 A That really depends on the performer himself. It  
11 depends on how good he is. How he continues to develop. What  
12 we tell a performer when he starts to work for us is the clock  
13 is ticking on your career. Therefore, you should be the best  
14 that you can be. You should make these provisions for yourself  
15 because no one can continue indefinitely. There is a risk of  
16 injury. So, you should make those kind of provisions for  
17 yourself. I mean, we did have Bob Marelllo wrestle forever.  
18 He finally said he wasn't going to wrestle anymore after 1980.  
19 But Bruno Sammartino was champion for 12 years. You know,  
20 there is longevity given the proper everything, the whole mix.

21 Q Do you internally, not based on any state  
22 requirements, do you do any internal testing of your wrestlers  
23 with an annual physical checkup, monthly checkups? Do you  
24 require tests for substance abuse, anything along that line?

25 A We do require annual physical examinations and

1 that is something that is relatively new as part of our  
2 requirement the past couple of years. Substance abuse tests  
3 are given randomly and our talents are informed when they come  
4 to work at World Wrestling Federation that they will be  
5 subjected to random substance abuse testing.

6 Q Do you discuss with your wrestlers, this gets into  
7 the area of referees, you provide your own referees in some  
8 states and in other states you have to use theirs like in the  
9 Commonwealth of Pennsylvania. Are the outcome of your matches  
10 discussed beforehand with the wrestlers and with the referees?

11 A In instances, yes.

12 Q In instances?

13 A Not precisely how or what, but yes.

14 Q How does that impact, for example, if you are in  
15 the state of Pennsylvania where you have to use the state's  
16 referees?

17 A The state's referees have always endeavored to go  
18 along with any program that we would present.

19 REPRESENTATIVE HUGHES: That is all. Thank you.

20 CHAIRMAN OLIVER: Mrs. McMahon, I want to thank you  
21 very much for appearing and testifying before this Committee.

22 MRS. MCMAHON: Thank you very much for having me.

23 CHAIRMAN OLIVER: The next person to testify is  
24 Mr. Robbins for Mr. Michael Smith who is the Chairman of the  
25 Middle Atlantic Amateur Union.

1 MR. ROBBINS: Mr. Chairman, I would like to thank  
2 you and your Committee. Before we get started, also, I have  
3 been working on this for two years. I want to thank your staff  
4 for the help they have given me which has been exceptional.  
5 I appreciate that and, of course, the other people that have  
6 been involved. I did want to mention that although I wasn't  
7 part of the Boxing Commission, I did attend all those hearings  
8 because I thought it was important.

9 Now, Mike Smith, who is the Chairman of the Middle  
10 Atlantic, well, he is the National Chairman of the Junior  
11 Olympic AAU wrestling program today. We are not going to go  
12 through our prepared talk that we put down because I know the  
13 limitations on your time. I want to give a general overview of  
14 the role of amateur wrestling in Pennsylvania to show you the  
15 magnitude of what has been going on for the last 20 years.  
16 And, of course, the role of the Pennsylvania Athletic Commission  
17 has or has not played in this event. So, beginning on that, I  
18 have put together a package of material, Mike and I have. We  
19 have included the credentials of both of us from the wrestling  
20 world, the amateur wrestling world, because I think that is  
21 very important to let you know that Mike and I have been  
22 involved in both of the major national organizations that have  
23 been involved in amateur wrestling. Mike, since 1960. I got  
24 involved when I came back to Pennsylvania in 1973. Both of us  
25 have been either chairman or president of the state

1 organizations. So, then you can look at the rest of it.

2 The one statement I wanted to make from the  
3 prepared statement is that I agree with the Legislative Budget  
4 and Finance Committee recommendations that amateur wrestling  
5 should be removed from the jurisdiction of the State Athletic  
6 Commission. And as I heard this morning and have been informed  
7 before, this is a recommendation that the State Athletic  
8 Commission agrees.

9 I think to go on, we will then go on to some of the  
10 papers that we have provided to give you a rundown of the  
11 history. I had a staff person, when I got involved a couple  
12 years ago, do a legislative research to see what the intent  
13 was back in the '50's when the Pennsylvania Athletic Commission  
14 was formed. Basically found there was no mention of amateur  
15 wrestling when the law was put together. I think mainly at  
16 that time there was an emphasis on boxing. There was also an  
17 emphasis on professional wrestling and amateur wrestling got  
18 carried along with it for two reasons. One is because you are  
19 also talking about the amateur boxing. And secondly, in the  
20 mid '50's there was really not very much amateur wrestling  
21 activity going on in Pennsylvania outside of the scholastic  
22 system, the PIAA, or the collegiate system. The growth of  
23 amateur wrestling in Pennsylvania started basically in the  
24 middle of the 1960's and has expanded tremendously since that  
25 time.

1                   You might say why didn't the Pennsylvania Athletic  
2 Commission get involved? Well, very simply, they were not  
3 aware. I think as I have looked back in the past, most of the  
4 people involved have been boxing people that were interested in  
5 the Pennsylvania Athletic Commission and they really did not  
6 become aware of the growth of amateur wrestling. And because  
7 there were no major problems health-wise or otherwise with the  
8 amateur wrestling world, there was no public outcry or any  
9 message coming back to the Athletic Commission or the state  
10 legislature that something needed to be done. The first thing  
11 I included was a newspaper article. When you say, well, how  
12 did I get involved or find out that the Pennsylvania Athletic  
13 Commission controlled or had regulatory control over amateur  
14 wrestling? Mike and I both, and Mike has run approximately  
15 ten to 12 what we would call cultural exchanges with the Soviet  
16 Union, with the Polish National Team and with other countries  
17 that would come in, we put on amateur wrestling events. Mike  
18 had one in 1985 which had the Soviet National Team come in and  
19 wrestle some of our best collegiate and open talent in the  
20 country at the Farm Show Arena, and that was the first time  
21 that we found out the Pennsylvania Athletic Commission had  
22 control of amateur wrestling and we had been running these  
23 kind of events, at least the two of us, for better than ten  
24 years. Up till that point, that was the first time that we  
25 ever had any intent or knowledge. I think the major reason,

1 Mike trying to promote the sport put together a package that  
2 included a ticket of \$100, two-night stay at the Penn Harris,  
3 three or four meals, a couple dinner dances with the Russians,  
4 et cetera, with that whole package, and the Athletic  
5 Commission saw that ad or one of the deputies and then we  
6 started to find out about the five percent gross tax, et cetera.

7 From that point, and this article is nothing but  
8 the Harrisburg paper picked up on that fact and some of that  
9 summer, some of the summer tournaments that they went into and  
10 closed down or didn't allow to occur. That's how we got  
11 started.

12 The next thing I added, I had LORL do a study to  
13 find out how amateur wrestling, professional wrestling, boxing  
14 is regulated in the country. Basically they came back to me  
15 and this was a study, again, they did in 1985. I didn't see  
16 the need right now to update it, but it can be done. But  
17 basically found out that there is no state regulation of  
18 amateur wrestling. Like the other amateur sports, baseball,  
19 football, track and field, soccer, whatever, there are control  
20 gymnastics or controlled through the participants, the parents,  
21 the coaches, the volunteers and really come under the rules  
22 that are established by the PIAA or the national governing  
23 body of that sport. The terminology was used the marketplace  
24 by the lady that testified before, and the truth is in all of  
25 those activities, the marketplace controls the activity.

1 Because if there was harm in that occurring to the sports,  
2 believe me, we all would hear about it.

3 The next thing I provided, and I think this is most  
4 important right now for you to get a concept of the scope of  
5 amateur wrestling in Pennsylvania outside of the school systems.  
6 Most people are not aware, and I included a breakdown of some  
7 of the amateur wrestling activities that are going on just this  
8 year, this spring and will occur through the months of June and  
9 July. I would like to go down and review that with you.

10 The Pennsylvania Wrestling Federation of which I  
11 was the president and the coach of their state team for eight  
12 years. This year, last year they had approximately 2600  
13 members, dues paying members. 1987 will approximate that  
14 plus they also have 20 chartered clubs. They have a U. S. Kids  
15 program, five age groups of which is eight and under, nine and  
16 ten, 11 and 12, 13 and 14, 15 and 16. They have ten  
17 qualifying tournaments, two district tournaments and held one  
18 state tournament in Pennsylvania. Also, we had a U. S. Kids  
19 Regional Tournament which was held in Bloomsburg, May 15  
20 through 17. This includes several of the states of the  
21 northeastern part of the United States. That tournament alone  
22 had 750 to 800 participants. Under eight group was not  
23 included in the regional tournament, the U. S. A. Wrestling,  
24 which is the national governing body of amateur wrestling right  
25 now, does not allow the younger age groups to progress past

1 that point.

2 There were a total of 14 kids tournaments held in  
3 Pennsylvania with well over 3500 competitors in those events.

4 The United States Wrestling Federation Junior  
5 Tournament, which is four age groups, and there was Intermediate  
6 class which is 13 and 14, a Cadet class which 15 and 16, a  
7 Junior classification which is the ninth through twelfth grade.  
8 Now, you can see there is some overlapping. They can really  
9 wrestle in two different events and many times they do. It  
10 depends on what their age bracket is, and, of course, the open  
11 classification. In that area, the Pennsylvania Federation  
12 had 17 qualifying tournaments, all of them using Freestyle  
13 rules, five Greco Roman Tournaments, again, using U. S. A.  
14 Wrestling rules and the Pennsylvania Federation Greco-Roman  
15 State Tournament held at Lock Haven State University and also  
16 had in Pennsylvania or will have a Pennsylvania Federation  
17 Freestyle State Tournament, also held at Lock Haven.

18 This is a total of 24 tournaments with well over  
19 2300 competitors.

20 Another event that occurs with the Pennsylvania  
21 Federation is we take the top three place winners in the  
22 Freestyle and the winner in the Greco Roman to a camp for one  
23 week in the summer and they go to a national tournament in  
24 Iowa. In other words, they compete with all the other  
25 competitors from every state in the United States and this has



1 occurred every year since 1971 when it was started to be  
2 organized. Since about 1974, we have taken approximately 60  
3 to 80 of the best high school wrestlers in Pennsylvania to this  
4 tournament.

5 U. S. A. Wrestling, Freestyle Juniors, that is  
6 another category which is the ninth through twelfth grade.  
7 Then Espoirs which is 17 through 20 years old that was held  
8 April 24th and 25th at East Stroudsburg University. There were  
9 300 plus competitors in that.

10 Other events held in Pennsylvania that would fall  
11 under the control of the Pennsylvania Athletic Commission  
12 include the Wrestling Classic which is held every year at the  
13 University of Pittsburgh. Pennsylvania All Stars team versus  
14 the United States team. Also includes a match with the WPIAL  
15 All Stars versus New England. Wrestling Challenge AAA versus  
16 AA at Lock Haven University and that is sponsored by the  
17 coaches association, high school coaches and a nonprofit  
18 organization.

19 Also, we have the Keystone State Games which  
20 include Folk style and Freestyle. Folk style would fall under  
21 the PIAA and NCAA Rules and Freestyle under the USA Wrestling  
22 Rules or the International Rules.

23 There are many wrestling clubs/booster clubs in  
24 Pennsylvania which indirectly support the local high schools  
25 or colleges. Many of these clubs hold wrestling tournaments.

1 There are more than 200 of these types of tournaments. I  
2 really couldn't get a figure, but I know very well that it is  
3 two to 300 of these open tournament occur every year excluding  
4 the organized tournaments that are going on involving  
5 thousands of competitors. And this basically has been going on,  
6 it started in the '60's and been in these numbers since the  
7 early '70's.

8 In this state, we also have All Star Tournaments  
9 such as the challenge and alumni matches, et cetera, et cetera.  
10 There are also organizations such as the YMCA, police leagues,  
11 et cetera, which either have wrestling teams or hold  
12 tournaments of their own.

13 I have mentioned the cultural exchange meets held  
14 in Pennsylvania. I have personally hosted the Polish National  
15 Junior Team and also I had the Athletes In Action come in for  
16 an alumni match. Mike has hosted ten down here but I really  
17 believe it is 12 which have been held within Pennsylvania. And,  
18 of course, during that time, neither one of us was aware that  
19 amateur wrestling was controlled by the Pennsylvania Athletic  
20 Commission.

21 We also have in the western part of the state an  
22 organization called Pennsylvania Junior Wrestling which  
23 includes most of the western part of the state from State  
24 College west, parts of West Virginia, Ohio, New York. They  
25 wrestle a tournament of age groups eight and under which

1 advances only to an area tournament nine and ten, 11 and 12,  
2 13 and 14. They use PIAA Rules which is Folk style. They had  
3 35 Preliminary Tournaments, eight Area Tournaments and one All  
4 Area Tournament which is a total of 44 tournaments, again,  
5 thousands of competitors and matches.

6 The Middle Atlantic Amateur Athletic Union, which  
7 Mike Smith is the chairman of, they held 20 wrestling tournaments  
8 in Pennsylvania of which they use the PIAA Rules. I also added  
9 an attached sheet where Mike keeps track of the number of  
10 competitors in all these tournaments. As you go through, the  
11 tournaments range anywhere from 200 matches or 200 competitors  
12 to 400 and some competitors for a total of 6944 competitors in  
13 those 20 tournaments.

14 He also holds five Freestyle qualifiers, one  
15 Middle Atlantic Championship which is held at Souderton High  
16 School and their league uses the AAU Freestyle Rules. He had  
17 more 2000 competitors participate in these six tournaments.  
18 I included then a sheet that shows the Keystone State Games,  
19 the weight classes, the age groups that they utilize in their  
20 four tournaments, and, of course, the state tournament  
21 they have.

22 Then I think the thing that we are all concerned  
23 about and that is, of course, the health and welfare of the  
24 competitors. First, in dealing with most of our activities,  
25 the first and most concerned about it is the participant and

1 the parents. In the amateur wrestling, we have a tremendous  
2 number of volunteers every year that get involved, and, of  
3 course, we are really concerned because very simply everything  
4 we own is on the line as you well know.

5 I included a sheet here which is a rundown of the  
6 USA Wrestling Insurance. The United States Wrestling is the  
7 national governing body at this time through the Olympic  
8 Committee and we have our insurance through that group. As  
9 most of them are, it is an excess of coverage policy. \$100  
10 deductible, \$100,000 maximum for medical or surgical expenses.  
11 Dental coverage: \$500 after \$100 deductible. Liability is  
12 one million per occurrence. And generally, medical coverage  
13 is for sanctioned competition, travel to and from, wrestling  
14 practice sessions dealing with a sanctioned team club or event  
15 or officials.

16 Liability coverage provides first dollar defense  
17 for legal action initiated due to alleged negligence resulting  
18 in bodily injury, personal injury or property damage.

19 Also, Mike included one there liability program,  
20 that is the AAU which is another national organization. Of  
21 course, up until a few years ago the AAU was the national  
22 governing body of wrestling.

23 I then just quickly put a cultural exchange  
24 statement in there, and the reason I put that in there, as you  
25 look down the middle, the national policy, the first thing we

1 are concerned with and we deal with is first safety and  
2 well-being of participants. We then, of course, promote equal  
3 opportunity to participate educational and cultural experience  
4 and financial and administrative accountability.

5 Then I put a paper in there just to show you  
6 illegal holds. All of our organizations have illegal holds  
7 for our younger aged kids and we have eliminated some of those  
8 wrestling holds, which again, allow the older wrestlers to use  
9 or which are considered a little but more dangerous, and  
10 really should not be used at a younger age. I threw that in as an  
11 example for your consideration to show you how we address  
12 that and the fact that we are aware it.

13 The next thing I put in a list of four names of  
14 people who are directly involved with amateur wrestling, with  
15 the USA wrestling, the Keystone State Games and Pennsylvania  
16 Junior wrestling in Pennsylvania, and, of course, Mike, I  
17 didn't put his name and address there, but he is with the AAU  
18 national organization. Any information that he can get you  
19 that you might want, we can do that and we would be more than  
20 willing to.

21 The last thing I included, that was an article  
22 which was in my local paper on June the 8th. It says local  
23 Freestyle wrestlers tuning up.

24 Wrestling second season is about to begin its  
25 stretch drive for a number of Crawford County athletes who are

1 members of the French Creek Freestyle Club.

2 I did that for a couple of reasons. One, again,  
3 one of the things I wanted to show you is the magnitude of what  
4 has been going on for the last 20 some years. It is accepted  
5 out there in the community. If you glance through that, you  
6 will see all the activites that these people have been  
7 participating in. Not only just in Pennsylvania, but  
8 throughout the entire country and will do so for the rest of  
9 the summer.

10 I think with that, Mr. Chairman --

11 CHAIRMAN OLIVER: I want to thank both you  
12 gentlemen for appearing before this Committee. Thank you very  
13 much.

14 REPRESENTATIVE BATTISTO: Can I make a comment?  
15 I don't want to ask any questions. No questions. I will be  
16 very succinct. I just want to comment. I have heard  
17 something about Bob Robbins today that I did not know he was  
18 involved in. He mentioned some places very familiar to me.  
19 I have been at those places with my son for about 12 years.  
20 I must say (a), I don't see any reason why we should be  
21 regulating amateur wrestling. It seems they do a hell of a  
22 job themselves. Because I have been at Lock Haven and  
23 Cheltenham and all over the place. My son is involved in many  
24 of these tournaments you are talking about and <sup>they</sup> do a fantastic  
25 job mainly with volunteers and I commend you for your work.

1 MR. ROBBINS: Thank you very much. Mr. Chairman,  
2 I would also like to offer my services. I have been studying  
3 the Athletic Commission for two years and if your staff or  
4 anybody, in any way I can help, I am certainly available to  
5 assist.

6 CHAIRMAN OLIVER: We certainly appreciate it.  
7 Representative Miller.

8 REPRESENTATIVE MILLER: Yes, thank you. I asked  
9 the Chairman to indulge me for one quick question since we have  
10 the official House Court Reporter here for my colleague and  
11 caucus members.

12 BY REPRESENTATIVE MILLER:

13 Q Mr. Robbins, it has been a matter of debate for  
14 some years. I thought taking this opportunity of your  
15 testimony to ask one question, what weight class did you  
16 wrestle?

17 A When I was in the service and I was the Army but I  
18 was stationed at the Army at Eglin Air Force, Florida. I'm  
19 getting around this. This is not a lie.

20 Q We have some serious wagers on this answer.

21 A I wrestled for Pensacola Wrestling Team once, this  
22 was in 1969, against Troy State University and their  
23 heavyweight didn't show and I wrestled heavyweight.

24 Q You got out of that one.

25 REPRESENTATIVE MILLER: You got out of that one.

1 Thank you, Mr. Chairman.

2 CHAIRMAN OLIVER: The next scheduled person to give  
3 testimony will be Mr. Russell Peltz, boxing promoter. Mr.  
4 Peltz, I see you have prepared testimony. Please be as brief  
5 as possible because of the time element.

6 MR. PELTZ: Mr. Chairman, my name is Russell Peltz.  
7 I have been promoting professional boxing matches in  
8 Pennsylvania since 1969. I am probably the leading boxing  
9 promoter in the state for the last 20 years. I'm not going to  
10 read through this. It is basically a history of professional  
11 boxing in Pennsylvania for the last 20 years.

12 90 percent of the shows I promoted were in  
13 Philadelphia. I did promote a couple more here in Harrisburg  
14 at the Zembo Mosque in 1985. I've been director of boxing, I  
15 was director of boxing at the Spectrum in Philadelphia for  
16 approximately eight years. In those years probably mid '70's,  
17 Philadelphia, along with Los Angeles and New York, were  
18 undoubtedly the three top boxing centers in the country.

19 In the early 1980's, with the advent of casino  
20 gambling in Atlantic City, we all moved to Atlantic City  
21 because financially there was no comparison between promoting  
22 in Atlantic City and promoting in Philadelphia. Just one  
23 quick example, Philadelphia, as I said, went from being one of  
24 the top three, went virtually out of existence in professional  
25 boxing in the early '80's. It is only slowly coming back now.



1           When you promote a professional boxing match, you  
2 rent the hall, you hire the ushers, pay for the security, the  
3 box office, the tickets, the advertising and whatnot. You  
4 hope enough people will come. You will get enough money from  
5 television, if there is television, to cover your costs.  
6 With the advent of casino gambling and television, when the  
7 announcer gets on and says live from Resorts International,  
8 that attracted the casinos and what attracted the promoters  
9 was the casino heads would say to us we'll pay you \$50,000  
10 to put your fight in Atlantic City in our hotel. You pay no  
11 rent, no advertising, no security, no ushers, nothing. We'll  
12 give you 30 free hotel rooms and feed all your people. You  
13 keep all the revenue, we'll pay the taxes. That in a nutshell  
14 is what happened to boxing in Philadelphia in the early '80's.

15           And along came 1985. By that time a lot of the  
16 cable systems that were televising fights got swallowed up by  
17 bigger ones, a lot went out of business. The medical  
18 requirements in New Jersey became such that only a few really  
19 elite promoters could handle it. Boxing went from a high of  
20 153 boxing cards in Atlantic City in 1985 to 80 in 1986 and on  
21 the current average of probably no more than 60 boxing  
22 cards in Atlantic City in 1987.

23           The end of my prepared statement basically talks  
24 about a rule book or lack of rule book in Pennsylvania. I was  
25 at the meeting in August 1978 when there was a revision of the

1 boxing and wrestling rules in Pennsylvania. That rule book is  
2 the one we are still operating under today and a call yesterday  
3 to the Philadelphia office told me that there is still no  
4 current up-to-date rule book in Pennsylvania. A lot of  
5 excuses because of clerical breakdowns, printing, whatever it  
6 is. We are still operating under an outdated rule book. One  
7 of the mentions in the report was 2043 concerning an on-site  
8 ambulance that is required. That is nowhere in the current  
9 rule book. I didn't know about that until I read it in your  
10 report.

11 I was the promoter of the two fights mentioned in  
12 the report, one in March of '78 where a fighter got killed,  
13 died, as a result of a fight I promoted in Philadelphia and  
14 also the one in January of this year which the fighter is still  
15 semiconscious. It makes note that there was no ambulance on  
16 site. None of us even knew that an ambulance had to be on site  
17 in Pennsylvania. It is in the rule book in New Jersey. After  
18 the January fight, we ourselves contacted an ambulance company  
19 and now we have it on site but we never knew about it in the  
20 rule book.

21 There are, as I mentioned, hear of things like the  
22 standing eight count in Pennsylvania. That is not in the rule  
23 book. It is in a separate two-page addendum that one of the  
24 referees mailed me because I openly criticized him at a  
25 recent show in Philadelphia for giving a fighter a standing

1 eight count. I went to the Commissioner. I said show it to me  
2 in the rule book where you can give a fighter a standing eight  
3 count in the rule book in Pennsylvania and they couldn't do it.  
4 It is only at a special seminar held in 1983 in which they  
5 passed some of these new rules. But none of them were ever  
6 passed down to people in the business. I would think that as  
7 the leading promoter in Pennsylvania, I at least should be aware  
8 of these things. There is no butt rule in Pennsylvania. Two  
9 fighters accidentally clash. heads in the second round of a  
10 fight, one fighter bleeding profusely and the fight is stopped.  
11 According to Pennsylvania, regardless of who caused the butt,  
12 it was unintentional, the fighter who is not bleeding is the  
13 winner. In almost every other regulated state in the country,  
14 if the fight goes past three or four rounds, the fighter who is  
15 ahead on points wins it. If there is less than three rounds,  
16 then it is a technical draw.

17 I listened to the testimony earlier of the pay  
18 scale, 68,000 in New York, 60,000 in New Jersey, 7500 in  
19 Pennsylvania. It is obvious that the New York and New Jersey  
20 jobs are full-time jobs staffed by full-time members of the  
21 Commission. It is full-time people.. It is obvious when you  
22 are paying the Commissioners \$7500 in Pennsylvania, it is at  
23 best a part-time job. Mr. Binns is a successful attorney in  
24 the Philadelphia area. There is no way he could survive on  
25 \$7500 a year if that were in fact his only occupation.

1 I am probably as well versed in professional boxing  
2 as anybody in the state and yet when the Sunset Committee  
3 did this report, it appears that not only I but none of the  
4 regulatees, the people who are directly affected by the rules  
5 and regulations of the Pennsylvania State Athletic Commission  
6 were interviewed or at least, according to the report, none of  
7 the boxers, none of the kids who make \$150 for four rounds,  
8 \$500 for six rounds. I don't see in the report any input from  
9 any of these people. These are the people that are most  
10 directly affected by the Athletic Commission. I think before  
11 any final decisions are made regarding the future of the  
12 Athletic Commission, I'm sure we all agree that there should  
13 be a future, that these people should at least be randomly  
14 interviewed.

15 I guess as far as the prepared statement, let me  
16 say one more thing concerning the Medical Advisory Board. In  
17 New York when a fighter applies for his license right there in  
18 the office he gets an EKG, EEG or whatever else. It costs him  
19 zero. He pays for his license and he gets those tests. In  
20 New Jersey, where the fighters have to get their own tests at  
21 their own expense, it can run up to \$300. For a fighter making  
22 two or \$300 for a fight and oftentimes with a manager who is  
23 not financially able, it is cost prohibitive. There is only  
24 two major promoters right now operating out of Atlantic City  
25 and they can afford sometimes to pay for these tests. If there

1 was an abundance of \$100,000 in the boxing and wrestling  
2 budget in Pennsylvania in 1986, certainly I think a goodly  
3 portion of that should go to try to emulate the New York  
4 system. As far as if you are going to have EEGs and EKGs, try  
5 and have it supported by the state.

6 As far as the computer, I run a two-man office. We  
7 have had a computer since 1983 on which approximately 3000  
8 boxers are listed. Every boxer who has competed in New Jersey  
9 or Pennsylvania in the last three or four years is on my  
10 computer, his age, his social security number, his address, his  
11 manager's address, phone number, who he fought, when he fought  
12 and what he weighed. The computer may have cost us 14 or  
13 \$15,000 to set up, but I think it certainly would fit within  
14 the budget of the state to provide at least one in the central  
15 office in Philadelphia. I only say that because 90 percent of  
16 the boxing activity in the state, 90 percent of the revenues  
17 generated from boxing in the state comes from Philadelphia.  
18 That is all I have to say.

19 CHAIRMAN OLIVER: Thank you, Mr. Peltz. Any  
20 questions from any of the members? Representative Linton.

21 BY REPRESENTATIVE LINTON:

22 Q Thank you, Mr. Peltz. Maybe we were remiss in not  
23 having testimony from the youngsters who participate in boxing  
24 and some of the promoters such as yourself. That's one of the  
25 reasons we have hearings such as we are having today and as

1 much input as you would like to have, you have an opportunity  
2 to do so at this point. If there are any other points that  
3 you feel were not addressed in the report, we welcome your  
4 comments and anything that you may be able to provide this  
5 Committee to help us in our endeavors.

6           You indicated in your prepared remarks, sir, you,  
7 too, the same as those in the wrestling profession must use  
8 announcers as provided by the Athletic Commission, is that  
9 correct?

10           A     Yes.

11           Q     You are prohibited from providing your own  
12 announcers?

13           A     Yes. The choice is up to the Athletic Commission  
14 which announcer we use out of the ones that are licensed.  
15 I don't really see where that should be a policy of the  
16 Athletic Commission.

17           Q     Do you think, now, I am looking at the decline in  
18 boxing in Pennsylvania. I saw somewhere there, what were the  
19 latest figures, 24 matches in a year?

20           A     Last year, 24 in the Philadelphia area.

21           Q     And we have had how many in New Jersey?

22           A     Last year was 80 in Atlantic City. I was just  
23 comparing Atlantic City to Philadelphia.

24           Q     Just Atlantic City itself?

25           A     Yes.

1 Q You said 90 percent of the revenues, also about 90  
2 percent of the bouts take place in the Philadelphia area in  
3 Pennsylvania?

4 A Yes, I would say so.

5 Q What would you contribute to the decline in boxing  
6 in Pennsylvania?

7 A The advent of casino gambling in Atlantic City.  
8 The fact it just made it financially more acceptable for a  
9 promoter such as myself, from 1980 probably to 1984, I may have  
10 only promoted two fights in Philadelphia and that was only  
11 because I couldn't get the date in Atlantic City and had to  
12 come to Philadelphia.

13 Q How many bouts would you say took place when, I'm  
14 talking about Philadelphia now and I guess we'll have to use  
15 that as our basis here, ten years ago? What would you say the  
16 number of bouts?

17 A Well, I don't know it was that many more ten years  
18 ago. Probably 15 or 20 fights were in Philadelphia, but in  
19 those days the fights that we promoted at the Spectrum drew  
20 between six and 8000 people. We are doing shows that grossed  
21 upwards 50 to \$100,000 per month. Now the shows that I  
22 promote in an old dance hall in Philadelphia called the Blue  
23 Horizon, we are lucky to generate \$10,000 in gross income.

24 Q Stop calling my old dance hall the old dance hall.

25 (Laughter.)

1                   It is interesting. I am just wondering how much  
2 work does our Athletic Commission have to do. I'm looking at  
3 the number of bouts we have just in the Philadelphia area. I  
4 am looking at their own regulations that they have not been  
5 following. I am looking at your comments about the rule book  
6 that has not been revised or published since '78.

7                   A     August of '78 was the meeting. It was printed in  
8 November of '78. It may have been revised recently but it  
9 hasn't been published or distributed.

10                  Q     Some of the testimony that we have heard today  
11 just raises a lot of questions about what we are doing and  
12 maybe we are doing some things we shouldn't be doing. There  
13 seems to be a whole lot of other areas that we are definitely  
14 missing the boat in terms of what is going on in athletics in  
15 Pennsylvania.

16                  A     I think the Commission is necessary if only to  
17 protect the safety of the fighters.

18                  Q     I'm not questioning the existence of the Commission.  
19 I would think that the members of this Committee would  
20 probably support continuation of the existence of the  
21 Commission. It seems to me that there are things that we are  
22 not doing that need to be done and there are other things that  
23 maybe we should look at, whether we should not have our hands  
24 in.

25                  A     Since Mr. Walker moved from Philadelphia to



1 Harrisburg not a single boxing passport has been issued out of  
2 the Philadelphia office. This is really the only safeguard the  
3 commissions have around the country. In other words, if a  
4 fighter comes into Philadelphia from Memphis, Tennessee, he's  
5 supposed to bring what they call a boxing passport. It will  
6 have the date, who that fighter fought on that date, the  
7 results and signed by the local commission. This is to  
8 prevent fighters from fighting under assumed names, fighting  
9 within the 30 day suspension time or knockout laws. All the  
10 fighters, all these new fighters who are coming in from out of  
11 town; even local Philadelphia based fighters, no one has been  
12 issued a new passport since Francis Walker left for Harrisburg.

13 Q How long is that?

14 A Maybe he has been gone eight months, nine months.  
15 I am not sure myself.

16 REPRESENTATIVE LINTON: Thank you. No further  
17 questions, Mr. Chairman.

18 CHAIRMAN OLIVER: Thank you, Representative Linton,  
19 and, Mr. Peltz, thank you so much for testifying before this  
20 Committee today.

21 The next scheduled person to testify is Mr. Newton  
22 Tattrie, retired wrestler and coach. I also hope, sir, you  
23 will be brief as possible because of the time element.

24 MR. TATTRIE: My name is not Minnie Pearl, but I  
25 am sure glad to be here.

1 CHAIRMAN OLIVER: We are glad to have you. You may  
2 proceed.

3 MR. TATTREE: After you listen to what I have in  
4 this statement, you might be sorry you invited me here, but  
5 after listening to a half hour of Commissioner Binns, you  
6 should be tough enough to pray for the Chicago Bears.

7 First of all, as a former amateur wrestler and  
8 boxer now involved in pro wrestling and having knowledge of them  
9 all with amateur wrestling being my first love, I feel that  
10 the termination of the part of the State Athletic Commission  
11 known as the Pro Wrestling Commission would be a benefit to the  
12 public health, safety, and welfare of the fans as well as the  
13 performers, bookers, and directors.

14 This Commission is a dishonest body. The State  
15 Professional Wrestling Commission is a paradox or a misnomer.  
16 They are saying, "We are an honest body, but we deal in  
17 dishonesty", or "We believe in absolutes but everything is  
18 relative", or "We would like to be honest, if possible, but we  
19 are dishonest when necessary."

20 This cannot be allowed to continue only for the  
21 state to make money. I heard one of the Deputy Commissioner  
22 call the wrestlers "a bunch of whores". If that is so, then  
23 the Commission who makes money off the avails of this is known  
24 as a "pimp". Is the Pennsylvania State Government willing to  
25 take that title?

1 I am talking about the pro wrestling side of the  
2 Commission. On the boxing side, there is much gambling and I  
3 can understand why this would have to be controlled. In the  
4 sport of professional wrestling there is no gambling -- that  
5 is the bottom line.

6 In all my 30 years of being involved in  
7 professional wrestling I have never seen the Commission do any  
8 good for the safety or welfare of the wrestlers or the public.  
9 When there is a wrestling match either the promoter or the  
10 sponsor carry liability insurance for the protection of the  
11 public and themselves, similar to the rodeos, stock car races  
12 and the Ice Capades which I heard Mrs. McMahon make such  
13 a brilliant statement and I was so proud to be in the same  
14 room with her today.

15 The Professional Wrestling Commission is a bad joke  
16 made up of political hacks and it has the approval of the state  
17 Governor. If you are going to insist upon maintaining this lie  
18 called the "State Wrestling Commission", at least hire people  
19 who know something about professional wrestling.

20 The government spent a lot of money against me in  
21 the Commonwealth Court last year trying to protect this  
22 Commission. I have been fighting for many years the right of  
23 the government to control professional wrestling, an  
24 "entertainment sport".

25 States like Ohio, North Carolina, South Carolina,

1 West Virginia, Georgia, Florida, Minnesota, Texas, Montana and  
2 the mid-western states either abolished the wrestling part of  
3 the commission or found it unnecessary to have such a thing.

4 Vince McMahon is the biggest wrestling promoter in  
5 the world and a very decent, honest man. He is not unlike his  
6 father, a wrestling promoter before him, but he, in a much  
7 bigger way, is forced to work with this anathema around his  
8 neck.

9 Thank you for your time. I can answer any of your  
10 questions concerning professional wrestling.

11 CHAIRMAN OLIVER: Thank you very much for appearing  
12 before the Committee today and presenting your testimony. Are  
13 there any questions from any of the members?

14 (No response.)

15 CHAIRMAN OLIVER: There being no questions, that  
16 concludes our meeting.

17 (Whereupon at 1:30 p.m. the hearing was adjourned.)  
18  
19  
20  
21  
22  
23  
24  
25

1 I hereby certify that the proceedings and  
2 evidence taken by me in the within matter are fully and  
3 accurately indicated in my notes and that this is a true  
4 and correct transcript of same.

5 Dorothy M. Malone

6 Dorothy M. Malone  
7 Registered Professional Reporter  
8 135 S. Landis Street  
9 Hummelstown, PA 17036

10 (The following letter from Larry Hazzard,  
11 Commissioner, State of New Jersey, Department of Law and  
12 Public Safety, State Athletic Control Board is as  
13 follows: )

14 June 2, 1987

15 "The Honorable Frank L. Oliver

16 The Pennsylvania House of Representatives

17 Chairman - State Government Committee

18 1319 N. 29th Street

19 Philadelphia, Penna. 19121

20 "Dear Chairman Oliver:

21 "Responding to your May 20, 1987 letter directed  
22 to Acting Chief Administrative Officer Clive Crosbie of  
23 New Jersey's State Athletic Control Board, your invitation  
24 to testify at the June 11, 1987 Public Hearing in Harrisburg,  
25 Pennsylvania must be declined.

"Your committee's Sunset Review of Pennsylvania's

1 State Athletic Commission should play a significant role  
2 in the future of that body. With that responsibility  
3 in mind, our agency is hopeful the copies of New Jersey's  
4 laws, rules and documents provided previously will be  
5 beneficial to your Review.

6 "It is unfortunate that your scheduled June 11,  
7 1987 Public Hearing conflicts with New Jersey's preparations  
8 for the Gerry Cooney/Michael Spinks contest set for June  
9 15, 1987 in Atlantic City. That major presentation,  
10 plus an extremely busy June schedule, will not allow  
11 us the opportunity to attend your Public Hearing.

12 "Please accept my personal best wishes and those  
13 of our Board Members for productive testimony at your  
14 hearing. The Board requests that a copy of the June  
15 11, 1987 hearing minutes be provided to this office.

16 "Yours very truly.

17  
18 "Larry Hazzard  
19 Commissioner"

20 (Prepared testimony of Hon. Joseph A. Lashinger,  
21 Jr. was as follows:)

22 "Mr. Chairman and fellow Members, thank you for  
23 this opportunity to testify today regarding the Sunset  
24 Review of the State Athletic Commission. As you may  
25 know, it was my pleasure to serve as Republican Chairman

1 of the House Special Commission on Boxing, which conducted  
2 an investigation last year into the health and safety  
3 of boxers in the Commonwealth. The insight which I gained  
4 into the State Athletic Commission during our investigation  
5 has prompted me to come before you today.

6 "While some groups, such as the American Medical  
7 Association, urge a ban on boxing, it is my opinion that  
8 boxing can be an athletic art form, which also builds  
9 character in our young people. Of paramount concern  
10 to me is the health and safety of boxers who participate  
11 in matches in Pennsylvania, and I believe that the State  
12 Athletic Commission is the body which should provide  
13 the mechanisms for proper regulation of bouts, including  
14 the imposition of rigorous health and safety standards.

15 "While I have been disillusioned by many aspects  
16 of the State Athletic Commission's performance over the  
17 past several years, I truly believe that this agency  
18 should be continued. However, I concur with the Sunset  
19 Performance Audit, conducted by the Legislative Budget  
20 and Finance Committee, which concludes that numerous  
21 changes must be made to the State Athletic Commission.  
22 While I will not take up the time of this Committee  
23 by reiterating all that was said in the sunset Performance  
24 Audit, I would like to make recommendations in several  
25 areas of special concern to me.

1 "Initially, I think that the State Athletic  
2 Commission must develop comprehensive health and safety  
3 standards. This can only be done by reorganizing and  
4 activating the medical Advisory Board, which has been  
5 inactive since 1981. Although serious injuries and deaths  
6 in the ring are not the norm in Pennsylvania, they most  
7 certainly do occur. It should be the first priority of  
8 the State Athletic Commission to do everything humanly  
9 possible to protect the welfare of every person that steps  
10 into a ring.

11 "I personally support mandatory drug testing as  
12 a specific component of pre-bout physical examinations, and  
13 I firmly believe that full computerization of all profession-  
14 al bout results in Pennsylvania is imperative. With computer-  
15 ization, the commission will be able to network with the  
16 national information bank and will be able to more efficiently  
17 screen boxers who are at potential risk to injury. Medical  
18 records and boxers' ring histories can quickly be accessed  
19 and potential disaster can hopefully be averted. In  
20 addition, the Commission must enforce provisions of the  
21 Athletic Code which call for: an EEG within 24 hours  
22 of a knockout, physical examinations within five days  
23 of a bout for all boxers, and the presence of an ambulance  
24 at the site of all professional and amateur boxing events.

25 "Also, from a safety standpoint, regulations



1 should be considered by the Medical Advisory Board which  
2 would require the use of thumbless, leather, 16-ounce  
3 gloves for all professional bouts. According to Larry  
4 Holmes, a member of the House Special Commission on Boxing,  
5 smaller gloves (12 oz. and 10 oz.) can cause greater  
6 damage to a fighter, as can gloves with plastic eyelets  
7 and seams. In addition, medical training seminars should  
8 be mandated for all ring personnel and commission employees,  
9 as required by the Athletic Code.

10 "Safety and health guidelines are not the  
11 only area of concern for the State Athletic Commission.  
12 There are a number of procedural, administrative and  
13 enforcement matters which require immediate attention.  
14 First and foremost, I think that it is essential that  
15 the Commission's Chairman and the Executive Secretary  
16 of the Commission develop a working relationship. The lack  
17 of communication, and confusion about definition of responsi-  
18 bilities between these two people is causing irreparable harm  
19 to the very people placed in their charge. There must be a  
20 clear-cut job description for each position within the  
21 Commission, including: Commissioners, Deputy Commissioners,  
22 Executive Secretary and clerical staff.

23 "The procedure for assigning ring officials and  
24 Deputy Commissioners must be put in writing and there must  
25 be a rotation of assignments among qualified officials and

1 and deputies. We have a number of qualified officials here  
2 in Pennsylvania, and we should be using them, rather than  
3 bringing in officials from New York and New Jersey. In  
4 addition, there should be pre-employment tests for deputy  
5 commissioners, to insure that they possess the skills and  
6 knowledge necessary to perform their jobs, and licensing  
7 requirements for all positions (promoters, trainers, seconds,  
8 managers, referees, judges, announcers, matchmakers,  
9 physicians, timekeepers, booking agents, professional  
10 wrestlers, and professional boxers) licensed by the  
11 Commission should be reviewed and strengthened where  
12 necessary.

13 "Fiscally, the Commission appears to be very  
14 sound, considering that revenues have exceeded expenses  
15 for the past several years. However, collection of fees  
16 and payment of ringside officials often do not adhere to  
17 state guidelines, and it is my recommendation that the  
18 Athletic Commission be required to develop specific  
19 regulations, within 60 days, regarding these matters. There  
20 is no excuse for not transferring state fees to the proper  
21 account immediately, and there must be proper accounting  
22 controls for the disbursement of funds to Commission  
23 officials.

24 "Having the Commission oversee amateur wrestling  
25 is, in my opinion, unnecessary. The commission does not

1 have jurisdiction over amateur wrestling conducted by schools  
2 and colleges, and I see no reason for even nominal juris-  
3 diction over other amateur wrestling programs, which are  
4 usually promoted by parents groups and "booster clubs."

5 The rules of the PIAA/NCAA are already used by these organiz-  
6 ations and to effectively regulate all of these local  
7 groups is beyond the scope of the Commission. As Dick Dario,  
8 of the Legislative Budget and Finance Committee said, "it's  
9 like trying to place state regulation on little league  
10 football."

11 "As far as professional wrestling is concerned,  
12 I think that the Commission should update its regulations to  
13 reflect the actual nature of professional wrestling. We all  
14 know that professional wrestling is a "show" and that  
15 professional wrestling "contests" are virtually non-existent.  
16 Therefore, we should eliminate the pretense of having  
17 virtually the same rules for professional wrestling that  
18 we employ for professional boxing, and concentrate on  
19 enforcing rules which protect the consumer and the safety of  
20 all those attending matches, including the wrestlers. I  
21 believe that continued licensing of promoters, wrestlers,  
22 and referees is necessary and promoters should be held  
23 accountable for the filing and payment of wrestler license  
24 fees and the 5% additional license fee on gross receipts.

25 "In order to insure greater accountability on

1 the part of the Commission, it is my recommendation that  
2 at least one public member be appointed to serve on the  
3 Commisison, in addition to one or more Members of the House  
4 and Senate, as appointed by the Speaker of the House and  
5 the President Pro-tem of the Senate. A public member on  
6 the Commission would be in line with the guidelines of the  
7 Sunset Review Act which call for public participation in  
8 the agency's rule-making and decision-making processes.  
9 Having a Member (s) of the General Assembly serve on the  
10 Commission would, I believe, provide for even greater  
11 accountability to the public.

12 "Finally, I wholeheartedly support a name change  
13 for the State Athletic Commission. Since the Commission  
14 regulates only boxing and wrestling (and not all "athletic"  
15 events), it seems reasonable to follow the lead of other  
16 states, such as New York and New Jersey, in renaming our  
17 agency. I would recommend "Pennsylvania Commission on  
18 Boxing and Wrestling" for your consideration.

19 "I have only touched on several issues that I  
20 think are of particular significance to this Sunset Review,  
21 however, I urge you to examine closely all facets of the  
22 Commission before issuing your recommendations to the  
23 General Assembly. The Commission is most definitely in need  
24 of reform and reorganization and it is my hope that meaning-  
25 ful changes can be brought about by the recommendations of

1 this Committee. The future of boxing and wrestling in  
2 Pennsylvania can be favorably influenced by the actions of  
3 this committee and I am looking forward to your recommenda-  
4 tions. I appreciate your time and I thank you for your  
5 consideration. If you have any questions, please feel  
6 free to contact me."